Reg. No. [illegible]



KERALA GAZETTE

SUPPLEMENTS

PUBLISHED BY AUTHORITY

Vol. XXVII] Trivandrum, Tuesday, 30th November 1982 / 9th Agrahayana 1904 (Saka) [No. 47

PART I

CONTENTS

PAGE

Section i

Section iv

GOVERNMENT OF KERALA

Abstract

ESTABLISHMENT—AGRICULTURE DEPARTMENT—QUALIFICATIONS AND METHODS OF APPOINTMENT TO THE POSTS OF MECHANICS, OIL ENGINE DRIVERS AND TRACTOR DRIVERS—MODIFIED—REVISED ORDERS ISSUED

AGRICULTURE (ESTABLISHMENT-A) DEPARTMENT

G. O. (Ms.) No. 308/82/AD. *Dated, Trivandrum*, 23*rd October* 1982

Read:—1. G. O. MS.288/71/Agri. dated 23-12-1971.

2. Letter No. AII/(1)44203/76/GW dated 27-12-1979 from the Secretary, Kerala Public Service Commission.

3. Correspondence resting with letter No. SD4-80359/79 dated 17-11-1981 from the Director of Agriculture.

ORDER

In the Government Order read above, the qualifications for and methods of appointment to the posts of Mechanics, Oil Engine Drivers and Tractor Drivers in the Agriculture Department have been fixed. In modification of the orders contained in the above Government Order, Government are pleased to fix the following revised qualifications for and methods of appointment to the posts of Mechanics, Oil Engine Drivers and Tractor Drivers in the Agriculture Department.

Name of Posts	Method of appointment	Qualifications
Mechanics/ Oil Engine Drivers/Tractor Drivers.	I. By appointment from among suitable hands in the categories of Blacksmith and Borer in the Agriculture Department.	5 years experience as Blacksmith/Borer in the Agriculture Dapartment. (The suitability will be assessed by a practical test by the Department in a well equipped Agricultural Engineering Workshop).
	II. In the absence of qualified hands under item No. (I) above, by promotion of suitable hands from the categories of Fitter and Carpenter in the Department.	5 years experience as Fitter/Carpenter in the Agriculture Department. (The suitability will be assessed by a practical test by the Department in a well equipped Agricultural Engineering Workshop).
	III. In the absence of suitable persons under item (I) & (II) above, by transfer from among qualified last Grade Servants in the Department.	For the posts of Mechanics and Oil Engine Drivers. — Qualification will be the same as for Direct recruitment except in the case of practical test, which will be conducted by the Department in a well equipped Agricultural Engineering Workshop
		2. For the post of Tractor Driver. — 1. A pass in a practical test in the operation and handling of tractors and their implements. (The test will be conducted in the Agricultural Engineering Workshop, Malampuzha by the Assistant Agricultural Engineer) 2. Ten years' Service in the Feeder categories.

IV. In the absence of qualified persons for appointment either by promotion or by transfer, by direct recruitment	1. National Trade Certificate in any of the following trades from an I. T. I. a. Mechanic (Tractor) b. Mechanic (Motor vehicle) c. Mechanic (Diesel) d. Fitter. 2. Practical Experience of not less than one year in the trade. The practical experience should be one acquired after the acquisition of the I. T. I. Trade Certificate. Proficiency in the field of work will be assessed in a practical test conducted by the Public Service Commission.

Note:—For the post of Tractor Driver, candidates should possess a valid Tractor Driving licence.

Age Limit:—

Minimum age limit will be 19 years and maximum age limit 35 years with usual relaxations as per rules.

By order of the Governor,
N. CHANDRASEKHARAN NAIR,
Secretary to Government.

Kerala Gazette No. 47 dated 30th November 1982.
PART I



GOVERNMENT OF KERALA

Abstract

COMMUNITY DEVELOPMENT—ESTABLISHMENT—EXTENSION OFFICERS (W.W.) SENIORITY LIST AS ON 1-12-1981—FINALISED—ORDERS ISSUED

DEVELOPMENT (E. SPL.) DEPARTMENT

G. O. (P) No. 66/82/DD. **Dated, Trivandrum, 16th June 1982.**

Read:—(1) G.O. (P) 137/79/DD dated 26-10-1979.
(2) Govt. Circular No. 62667/E. Spl./81/DD dated 16-1-1982.

ORDER

Government are pleased to approve the Seniority List of Extension Officers (Women's Welfare) as on 1-12-1981, appended to this Order.

By order of the Governor,
N. KESAVA KURUP,
Deputy Secretary to Government.

SENIORITY LIST OF THE EXTENSION OFFICERS

Sl. No.	Name	Qualifications General	Qualifications Special
(1)	(2)	(3)	(4)
1	S. Sarala Devi	B. A.	Trg. at Gandhigram Social Edn. Organisers' Trg.
2	G. Saraswathi Amma	M.A.	do.
3.	K. J. Sarojini Bai	M. A.	do.
4	L. Saraswathi	M. A.	do.
5.	M. R. Sarojini	B. A. (Course completed)	do.
6	Elizabeth Chacko	B. Sc.	do.
7	M. P. Sarala Devi	B. Sc.	do.
8	P. Hiranmayee Devi	B. A.	do.
9	A. C. Ambujakshy	SSLC.	Social Edn. Organisers' trg.
10	J. Padmavathy	B. Sc.	do.
11	P. D. Annamma	B. A.	do.
12	K. Madhavi	B. A.	do.
13	Lilly J. S. Florence	B. Ed. (Hons.)	do.
14	M. J. Thressiamma	B. Sc.	Underwent. Trg. at the Trg. Centre, Hyderabad, Orientation trg. Trg. in Home Science.
15	A. P. Lucy	B. A.	S. E. O's Trg.
16	K. Rose	B. Sc.	do.
17	I. Saraswathy	B. A. B. T.	do.
18	Aleyamma Mathew	B. Sc.	do.
19	P. G. Malathy Amma	B. A.	do.
20	P. Mary John	B. A. Home Eco. diploma	Home Science Trg.

(WOMENS' WELFARE) AS ON 1-12-1981

Date of birth	Date of commencement of continuous service	Date of appointment as E.O. (WW)	Date of confirmation	Remarks
(5)	(6)	(7)	(8)	(9)
24-12-1931	2-1-1954	2-1-1954	1-10-1962	O. D. as Chief Social Welfare Officer
16-11-1105 (M.E.)	1-1-1954	1-1-1954	1-10-1962	O.D. as R.W.W.
8-5-1103 M.E.	1-10-1954	1-10-1954	1-10-1962	O.D. as R.W.W.O.
22-8-1928	25-10-1954	25-10-1954	1-10-1962	do.
8-6-1929	20-11-1954	20-11-1954	1-10-1962	O. D. as D.W.W.O.
20-7-1927	30-12-1954	30-12-1954	1-10-1962	O.D. as BDO.
12-10-1929	30-12-1954	30-12-1954	1-10-1962	do.
13-2-1106 M.E.	1-10-1955	1-10-1955	1-10-1962	do.
15-7-1931	16-12-1948	12-12-1955	1-10-1962	do.
31-1-1105 M.E.	5-1-1955	12-6-1956	1-10-1962	O. D. as D.W W.O.
8-3-1929	12-10-1956	12-10-1956	1-10-1962	do.
12-3-1929	..	11-1-1957	1-10-1962	..
19-5-1932	..	27-3-1957	1-10-1962	..
2-8-1931	..	1-4-1957	1-10-1962	..
16-4-1932	..	1-4-1957	1-10-1962	O. D. as BDO.
21-7-1935	..	25-5-1957	1-10-1962	..
24-9-1930	..	11-11-1957	1-10-1962	O. D. as D.W.W.O.
7-3-1936	12-10-1956	12-11-1957	1-10-1962	..
22-5-1928	..	12-11-1957	1-10-1962	O. D. as D.W.W.O.
13-2-1933	..	5-12-1957	1-10-1962	O. D. as BDO.

(1)	(2)	(3)	(4)
21	S. Muthulekshmi Amma	ESLC.	SEO's Trg.
22	L. Anandavally Amma	ESLC.	do.
23	A. K. Rital	SSLC.	SEO's Trg.
24	T. Anandavally	ESLC.	do.
25	Anna Mamen	B. A. D. SS.	do.
26	Shirley Peter	B. Sc.	do.
27	T. Kamalakshy	B. A. D. SS.	Home science Trg. Intensive Course under Home Science
28	P. Kalliyani	B. A.	SEO's Trg.
29	M. Chandramma	B. A.	do.
30	V. N. Saraswathykutty Amma	B. A.	do.
31	Chandra Leela	B. A. D.S.S.	do.
32	S. Omana Kutty Amma	ESLC.	do.
33	E. Bhanumathi Kutty	SSLC.	do.
34	T. K. Thandu	SSLC.	do.
35	K. G. Subhadramma	SSLC.	do.
36	C. Padmavathy	SSLC.	do.
37	P. T. Annamma	SSLC.	..
38	A. G. Thankamma	SSLC.	..
39	A. O. Rukiathu Beevi	ESLC. Intermediate course completed	T.T.C., Gramasevika Trg. F.P. Trg. SEO's Trg. Refresher Trg. course
40	C. C. Kili	..	SEO's Trg.
41	C. Radhamoni Devi	SSLC.	SEO's Trg. Refresher Trg. Course
42	V. E. Kunjumariamma	SSLC.	SEO's Trg. Refresher Trg. Course
43	K. Mohiyudeen Beevi	SSLC.	..
44	Simpson Mathew	SSLC.	..

(5)	(6)	(7)	(8)	(9)
29-11-1928	..	26-6-1958	1-10-1962	O. D. as BDO
5-12-1105 (M.E.)	..	27-6-1958	1-10-1962	O. D. as D.W.W.O.
23-3-1934	..	27-1-1960	1-10-1962	O. D. as BDO.
2-2-1931	..	25-11-1950	1-10-1962	O. D. as Lecturer, ETC.
25-5-1109 (M.E.)	..	5-8-1960	1-10-1962	..
27-7-1110 (M.E.)	..	8-8-1960	1-10-1962	..
7-10-1931	..	2-8-1960	1-10-1962	O. D. as Lecturer ETC.
1-8-1933	12-10-1956	28-11-1960	1-10-1962	O. D. as Lecturer ETC.
17-6-1936	..	21-2-1961	1-10-1962	do.
25-1-1935	..	18-7-1962	1-10-1962	O. D. as BDO.
18-12-1936	..	20-2-1961	1-10-1962	..
24-2-1931	..	28-3-1963	26-8-1963	O. D. as BDO.
8-7-1934	..	9-4-1963	26-8-1963	O. D. as D.W.W.O.
18-11-1105 M.E.	..	4-4-1963	26-8-1963	O. D. as BDO.
15-5-1937	..	5-4-1963	26-8-1963	O. D. as D.W.W.O.
15-7-1935	..	29-3-1963	26-8-1963	do.
..	..	26-8-1963	26-8-1963	..
17-4-1935	..	25-4-1963	26-8-1963	..
7-10-1933	..	8-4-1963	26-8-1963	..
..	..	14-7-1966	26-8-1963	O.D. as Jr. Lecturer ETC.
..	..	5-4-1963	26-8-1963	..
28-5-1932	..	28-6-1963	26-8-1963	..
..	..	8-4-1963	26-8-1963	..
23-3-1107 (M.E.)	..	2-4-1963	26-8-1963	..

(1)	(2)	(3)	(4)
45	P. L. Achamma	SSLC.	T. T. C., Gramasevika Trg, Home Nursing Extn., Refresher course in improved Agri. Practices etc. Social Edn. Organiser's trg.
46	K. Kusumam	SSLC.	do.
47	J. Omana Amma	SSLC.	ANP. trg.
48	M. Padma Kumari	SSLC.	..
49	K. V. Bhanumathy	SSLC.	T. T. C.
50	Ponnamma Thomas	SSLC.	..
51	K. Sreedevi Amma	SSLC.	ANP. Trg.
52	A. Kamalam	SSLC.	T. T. C. trg.
53	B. Krishnamma	ESLC. failed	Social Edn. trg.
54	J. Madhavi Kutty Amma	ESLC. (failed)	Social Edn. trg.
55	K. Meenakshi Amma (Sr.)	ESLC.	Social Edn. trg.
56	P. T. Saramma	SSLC.	Needle work and Garment making
57	K. K. Sosamma	SSLC.	..
58	T. C. Mariam	SSLC.	T. T. C.
59	P. Saraswathi Kutty Amma	ESLC.	T. T. C.
60	T. V. Aleyamma	ESLC.	R.B.V., B. Sc. (Home)
61	M. K. Aleyamma	SSLC.	..
62	K. G. Jagadamma	B.A.	..
63	K. Kamalam	B.A.	M/s. Trg., 6 weeks Refresher course in Balawadi Organisation : Child Nutrition, Communication in Home Science and Nastha Preparation.

(5)	(6)	(7)	(8)	(9)
10-9-1107 (M.E.)	12-10-1956	3-4-1963	26-8-1963	..
24-12-1936	..	2-4-1963	26-8-1963	..
28-2-1932	11-9-1956	17-10-1968	..	..
26-6-1110 (M E.)	11-9-1956	17-10-1968	..	..
4-9-1106 (M.E.)	11-9-1956	17-10-1968	..	..
30-9-1106 (M.E.)	11-9-1956	17-10-1968	..	..
25-10-1104 (M.E.)	12-9-1956	17-10-1968	..	..
30-4-1932	3-4-1958	17-10-1968	..	..
25-3-1928	7-4-1958	17-10-1968	..	
24-2-1106	7-4-1958	17-10-1968	..	..
20-8-1102 (M.E.)	7-4-1958	17-10-1968	..	..
12-5-1935	7-4-1958	17-10-1968	..	.
8-2-1937	7-4-1958	17-10-1968	..	..
13-6-1935	7-4-1958	17-10-1968	..	..
7-8-1929	12-4-1958	17-10-1968	..	..
22-5-1932	21-6-1958	17-10-1968	..	O. D. as Jr. Lecturer, ETC.
17-5-1935	25-6-1958	17-10-1968	..	..
3-10-1103 (M.E.)	..	27-11-1969	..	O. D. as Jr. Lecturer, ETC.
12-5-1105 (M.E.)	5-6-1956	27-11-1969	..	do.

(1)	(2)	(3)	(4)
64	G. Radhamma	B.A.	Refresher course in Balawadi Organisation, Child Nutrition Family Planning Communication in Home Science, Nastha Preparation and bakery.
65	K. A. Mariamma	B.A.	Mukhyasevika Trg
66	Pennamma Thomas	B.A.	...
67	M. Radhamma	B.A.	Diploma in Early Childhood Edn. Home Nursing, Mukhyasevika Trg. First aid to the injured.
68	S. Saradambal	B.A.	Hindi Rashtrabhasha, M/s. Trg.
69	B Sreekumari Amma	B.A.	Hindi Doosari Gramasevak Trg. M/s Trg.
70	J. Sethu Bai	B.A.	..
71	Gracy Thomas	Intermediate	Craft Trg.
72	P. D. Saramma	SSLC.	Needlework and Garment making
73	D Sudharmma	SSLC.	do.
74	V. A. Mariamma	SSLC.	do.
75	O. C. Annamma	SSLC.	Social Adult Edn. Trg.
76	P. Anandavally	SSLC.	L & D Certificate Examn.
77	Mary Sebastian	ESLC.	P & D Certificate Examn.
78	C. K. Visalakshy Amma	SSLC.	Craft Trg. Examn.
79	M. M. Chinnamma	SSLC.	..
80	K. P. Sosamma	Intermediate	..
81	Mary Mathew	SSLC.	Needlework and Garment making
82	M. J. Mariamma	ESLC.	Social Adult Edn. Trg.
83	K. T. Achamma	SSLC.	...
84	H. B. Aisha Beevi	SSLC.	..
85	P. K. Bhavani	SSLC.	..
86	K. Padmakshi	SSLC.	..
87	N. Kunjukutty	SSLC.	..
88	P. T. Ammini	SSLC.	..
89	A. G. Subhashini	Intermediate	..

(5)	(6)	(7)	(8)	(9)
18-8-1105 (M.E.)	—	27-11-1969	..	O. D. as Jr. Lecturer, ETC.
5-1-1107 (M.E.)	..	27-11-1969	—	O. D. as Jr. Lecturer, ETC.
7-10-1102 (M.E.)	—	27-11-1969	..	..
12-2-1108 (M.E.)	—	27-11-1969	—	O. D. as Jr. Lecturer, ETC. ETG
28-11-1106 (M.E.)	..	27-11-1969	—	do.
20-10-1109 (M.E.)	..	27-11-1969	..	do.
14-9-1108 (M.E.)	..	27-11-1969	..	..
8-2-1936	23-10-1958	4-10-1971	..	—
18-5-1933	23-10-1958	4-10-1971	..	..
10-7-1936	23-10-1958	22-11-1971	..	..
8-1-1937	23-10-1958	28-9-1972	..	..
23-3-1105	23-10-1958	28-9-1972	..	..
2-4-1933	23-10-1958	28-9-1972	..	..
27-1-1932	23-10-1958	28-9-1972	..	..
27-10-1931	23-10-1958	14-11-1972	..	..
31-8-1935	23-10-1958	..	..	..
14-7-1934	24-10-1958	..	..	—
28-10-1935	24-10-1958	..	—	—
29-12-1929	24-10-1958	..	—	..
18-4-1935	25-10-1958	..	..	..
23-2-1936	25-10-1958	..	..	—
21-12-1936	7-11-1958	9-1-1974	..	..
28-4-1933	2-3-1959	9-1-1974	—	—
20-2-1933	2-3-1959	9-1-1974	..	..
19-6-1931	2-3-1959	6-2-1974	..	—
3-4-1103 (M.E.)	23-10-1958	13-5-1974	..	—

(1)	(2)	(3)	(4)
90	A. Vijayamma	ESLC.	Malayalam (H)
91	Lilly Fernandez	SSLC.	Handicrafts and Industrial Trg. Diploma In Needlework and Garment making.
92	S. Komala Bai	SSLC.	Diploma Examn. in Rural Reconstruction Social Welfare.
93	J. Thankamma	SSLC.	..
94	C. K. Sathyabhama	SSLC.	..
95	B. Leelavathi Amma	SSLC.	T. T. C., Hindi Rashtram, Diploma in Rural Constructions Social Welfare.
96	K. M. Aleyamma (Sr.)	ESLC.	Fruit Preservation Trg.
97	Mary Cheriyan	B. Sc.	B. Ed.
98	K. M. Thankamma	SSLC.	T. T. C.
99	P. K. Omana	SSLC.	Typewriting (L) and Social Edn. Trg.
100	C. Ponnamma	SSLC.	Needlework and Garment making
101	K. M. Aleyamma (Jr.)	SSLC.	Needle work and Garment making
102	P. Sarasamma	SSLC.	..
103	M. R. Podipennu	SSLC.	..
104	T. Jameela	SSLC.	..
105	M. Saharban Beevi	SSLC.	..
106	K. K. Sarasamma	SSLC.	..
107	K. Meenakshi Amma (Jr.)	SSLC.	..
108	S. Sarada	SSLC.	Hindi Rashtram Diploma in Rural Extension
109	P. Rugmini	SSLC.	..
110	P. V. Savithri	SSLC.	..
111	K. S. Ammini	SSLC.	Needlework and Garment making
112	P. Indira	SSLC.	..

(5)	(6)	(7)	(8)	(9)
26-9-1103 (M.E.)	12-2-1960	31-5-1974	..	..
17-3-1112 (M.E.)	12-2-1960	23-11-1974	..	..
13-2-1937	12-2-1960	23-11-1974	—	..
16-5-1936	12-2-1960	23-11-1974	—	..
15-9-1107 (M.E.)	12-2-1960	23-1-1975	—	..
6-6-1938	13-2-1960	23-1-1975	—	—
13-1-1107 (M.E.)	16-2-1960	23-1-1975	—	..
8-9-1108 (M E.)	16-2-1960	23-1-1975	..	—
23-8-1935	17-2-1960	23-1-1975	..	..
7-9-1936	18-2-1960	23-1-1975	..	..
10-9-1111 (M.E.)	18-2-1960	30-1-1975	..	..
13-8-1110 (M E.)	19-2-1960	16-10-1975	..	..
16-9-1108 (M.E.)	19-2-1960	16-10-1975	..	..
29-5-1109 (M.E.)	19-2-1960	16-10-1975	..	..
5-11-1113 (M E.)	19-2-1960	7-1-1977	..	..
19-2-1937	19-2-1960	7-1-1977	..	..
17-10-1934	22-2-1960	7-1-1977	..	..
15-1-1111 (M.E.)	22-2-1960	7-1-1977	..	..
8-4-1180	22-2-1960	7-1-1977	..	—
15-6-1936	22-2-1960	7-1-1977	..	..
18-11-1937	22-2-1960	7-1-1977	—	—
4-9-1106 (M.E.)	22-2-1960	7-1-1977	—	—
17-6-1937	23-2-1960	7-1-1977	..	—

(1)	(2)	(3)	(4)
113	A. P. Mariamma	SSLC.	..
114	P. Sashama Amma	SSLC.	..
115	G. Lekshmi Kutty	SSLC.	..
116	B. Radhamoni	SSLC.	..
117	P. I. Saina Beevi	SSLC.	Needlework and Garment making
118	M. C. Sarasammal	SSLC.	..
119	N. P. Moli	SSLC.	..
120	Alice Jacob	SSLC.	..
121	Thankamma Grace	SSLC.	..
122	K. M. Susamma	SSLC.	..
123	V. M. Annamma	SSLC.	Needlework and Garment making
124	T. P. Suseela Amma	SSLC.	..
125	P. Gomathy Kutty	SSLC.	..
126	K. A Karthayani	SSLC.	..
127	C. T. Saramma	SSLC.	Needlework and Garment making
128	K. Sarojini	SSLC.	..
129	C. O. Sainaba Beevi	SSLC.	..
130	B. Omana	SSLC.	..
131	P. Leela	SSLC.	..
132	V. J. Catherine	SSLC.	..
133	Alice Paul	SSLC.	..
134	N. Bhavani	SSLC.	..
135	P. C. Thankamma	SSLC.	..
136	P. Lekshmi Kutty	SSLC.	..
137	P. Parukutty	SSLC.	..
138	V. N. Ammukutty	SSLC.	..
139	P. Sarojini	SSLC.	Amber instructor's course
140	C. P. Sathi Devi Amma	SSLC.	..
141	O. Grace.	SSLC.	Typewriting
142	K. Madhavi	SSLC.	Typewriting (L)
143	P. C. Mariamma	SSLC.	Needlework and Garment making
144	K. Seemanthini	ESLC.	..

(5)	(6)	(7)	(8)	(9)
29-5-1938	24-2-1960	7-1-1977	..	..
2-4-1938	24-2-1960	7-1-1977	..	..
4-4-1933	24-2-1960	7-1-1977	..	..
18-3-1936	24-2-1960	7-1-1977	..	..
2-12-1936	24-2-1960	7-1-1977	..	..
12-9-1112 (M.E.)	25-2-1960	7-1-1977	..	..
1-2-1933	25-2-1960	15-4-1977	..	..
4-12-1937	25-2-1960	3-5-1977	..	..
11-5-1937	26-2-1960	28-10-1977	..	
25-4-1108 (M.E.)	27-2-1960	28-10-1977	..	
10-5-1937	27-2-1960	28-10-1977	..	..
17-1-1937	29-2-1960	28-10-1977	..	..
4-6-1112 (M.E.)	29-2-1960	28-10-1977	..	..
18-8-1109 (M.E.)	15-5-1961	15-12-1977	--	..
20-5-1937	16-5-1961	7-10-1978	--	..
22-3-1935	17-5-1961	7-10-1978	..	..
17-5-1937	18-5-1961	27-11-1978	..	..
6-8-1934	18-5-1961	13-2-1979	..	..
1-6-1938	19-5-1961	13-2-1979	..	..
15-7-1937	19-5-1961	13-2-1979	..	..
25-11-1110 (M.E.)	20-5-1961	13-2-1979	..	..
18-3-1934	22-5-1961	13-2-1979	..	..
20-11-1111 (M.E.)	22-5-1961	13-2-1979	..	..
12-2-1938	20-5-1961	13-2-1979	..	..
15-6-1935	24-5-1961	1-8-1979	..	..
18-5-1937	25-5-1961	15-10-1979	..	..
5-3-1936	27-5-1961	15-10-1979	..	..
16-8-1932	27-5-1961	15-10-1979	..	..
23-5-1934	27-5-1961	9-10-1980	--	..
20-5-1938	27-5-1961	31-1-1981	..	..
22-4-1939	27-5-1961	7-11-1981	..	..
12-7-1105 (M.E.)	29-5-1961	7-11-1981	..	..

(1)	(2)	(3)	(4)
145	C. Vijayamma	SSLC.	Typewriting (L) Diploma Examn. in Rural Reconstruction and Social Welfare, Gramasevika Trg., 2 months Agri. Trg. in N.E.S.Block.
145	K. K. Ammini	SSLC.	Embroidery, Nursing Trg. Needlework in written test Spinning and Bamboo work (L)
14	A. T. Annamma	SSLC.	Needlework and Garment making
148	K. U. Sosamma	SSLC.	..
149	P. C. Rajamma	SSLC.	Needlework and Garment making
150	J. Vijayamma	SSLC.	..
151	C. K. Aleyamma	SSLC.	..
152	K. Sarasamma (Sr.)	SSLC.	Needlework and Garment making, Typewriting (L)
153	J. K. Sarasamma	SSLC.	Home Science, Extension Trg. & Typewriting (L)
154	K. K. Sainab	SSLC.	..
155	K. M. Sarada	SSLC.	Certificate Examn. in Home Science, Needlework and Embroidery
156	O. Radha	SSLC.	Embroidery, Rattan work, Crocket Needle and Knitting

(5)	(6)	(7)	(8)	(9)
6-8-1112 (M.E.)	1-6-1961	7-11-1981	..	..
15-5-1937	7-6-1961	7-11-1981	..	..
14-10-1112 (M.E.)	8-6-1961	7-11-1981	..	..
1-3-1938	8-6-1961	7-11-1981	..	..
30-1-1937	8-6-1961	7-11-1981	..	..
30-11-1936	9-6-1961	7-11-1981	..	..
28-1-1937	9-6-1961	7-11-1981	..	..
19-4-1935	9-6-1961	7-11-1981	..	..
29-9-1112 (M.E.)	10-6-1961	7-11-1981	..	..
1-5-1939	18-6-1961	7-11-1981	..	..
28-2-1936	27-6-1961	7-11-1981	..	..
27-9-1935	28-6-1961	7-11-1981	..	..

Kerala Gazette No. 47 dated 30th November, 1982.

PART I

കേരള സർക്കാർ

ധനകാര്യ വകുപ്പ്

വിജ്ഞാപനം

നമ്പർ 56147/എസ്റ്റാ. സി. 5/82/ധന.

തിരുവനന്തപുരം, 1982 നവംബർ 12.

കേരള സർക്കാരിന്റെ 1982 ജൂൺ 28-ാം തീയതിയിലെ നമ്പർ 31688/എസ്റ്റാ. സി. 5/82/ഫിൻ. വിജ്ഞാപനപ്രകാരം എറണാകുളം ജില്ലയിൽ അങ്കമാലി ആസ്ഥാനമാക്കി 14-8-1982 മുതൽ ഒരു പുതിയ സബ് ട്രഷറി നിലവിൽ വരുകയുണ്ടായി.

താഴെ പറയുന്ന മുനിസിപ്പാലിറ്റിയും പഞ്ചായത്തുകളും ഈ ട്രഷറിയുടെ അധികാര പരിധിയിൽ ഉൾപ്പെടുത്തിയിട്ടുണ്ട്.

1. അങ്കമാലി മുനിസിപ്പാലിറ്റി
2. കറുകുറ്റി പഞ്ചായത്ത്
3. മൂക്കന്നൂർ പഞ്ചായത്ത്
4. തുറവൂർ പഞ്ചായത്ത്
5. മഞ്ഞപ്ര പഞ്ചായത്ത്
6. മലയാറ്റൂർ നീലേശ്വരം പഞ്ചായത്ത്
7. കാലടി പഞ്ചായത്ത്
8. പാറക്കടവ് പഞ്ചായത്ത്
9. അയ്യമ്പുഴ പഞ്ചായത്ത്

എന്നാൽ രണ്ടാം ഖണ്ഡികയിൽ പറഞ്ഞ പ്രദേശങ്ങൾക്കു പുറമേ ആലുവാ താലൂക്കിലെ നെടുമ്പാശ്ശേരി പഞ്ചായത്ത് അതിർത്തിയിൽ വരുന്ന പ്രദേശങ്ങൾ കൂടി ടി ഗവൺമെന്റ് വിജ്ഞാപനത്തിൽ പറഞ്ഞിട്ടുള്ള വ്യവസ്ഥകൾക്കു വിധേയമായി ഈ വിജ്ഞാപനം പ്രസിദ്ധപ്പെടുത്തി പതിനഞ്ചു ദിവസത്തിനു ശേഷം അങ്കമാലി ട്രഷറിയുടെ അധികാര പരിധിയിൽ വരുന്നതാണ്.

ഗവർണ്ണറുടെ ആജ്ഞാനുസരണം,

ഡി. ബാബുപോൾ,

ധനകാര്യവകുപ്പു സെക്രട്ടറി.

Kerala Gazette No. 47 dated 30th November 1982.

PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No 1050/82/LBR. *Dated, Trivandrum, 25th September* 1982.

The award of the Labour Court, Quilon in respect of the dispute between the President, Nallanickal Service Co-operative Society Ltd. No. 2600, Arattupuzha P. O. and Shri P. Rajappan, Thettikattil, Nallanickal, Arattupuzha P.O. received by Government on 13-8-1982 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
K. SIVADASAN,
Deputy Secretary to Government.

In the Labour Court, Quilon

Present:

SHRI T. V. KUNHAHAMED B. A. B. L.,

Presiding Officer

Friday, the 30th day of July, 1982

INDUSTRIAL DISPUTE No. 77/78

Between:

The President, Nallanickal Service Co-operative Society Ltd. No. 2600, Arattupuzha P. O.

And

Shri P. Rajappan, Thettikattil, Nallanickal, Arattupuzha P. O.

Representations:

Sri Ram Mohan Das, Advocate, Alleppey. — For *the Management.*

Sri P. Narayanan Nair, Advocate, Alleppey. — For *the Workman.*

AWARD

This is an industrial dispute referred by the Government of Kerala as per G. O. (Rt) No. 966/78/L&H dated 6-6-1978. The dispute referred for adjudication relates to the dismissal of P. Rajappan, Secretary from Nallanickal Service Co-operative Society Ltd. No. 2600, Arattupuzha P. O.

2. For the sake of convenience Sri Rajappan shall hereinafter be referred to as the 'workman' and the Nallanickal Service Co-operative Society Ltd. No. 2600 shall be reinafter hereferred to as the 'Management'.

3. The workman filed a claim statement raising the following contentions. He was the Paid Secretary of the Management from 26-11-1962 to 11-2-1972. The Administrator who was in charge of the Board of Directors served a memo of charges in which it was stated that the worker was suspended pending enquiry. Subsequently, on 11-2-1971 the workman was dismissed without conducting an enquiry at all. Under Section 27 of the Kerala Co-operative Societies Act 1969 (Act 21 of 1969) the final authority of a co-operative society is the General Body. In the case of appointment, dismissal etc. of an employee of a co-operative society the sole authority to accord sanction is the General Body.

4. The Administrator's only duty was to manage indispensible affairs of the management. Since the Administrator was not the authority to appoint and to dismiss an employee under the management he had no authority to dismiss the worker who had put in 8 years and 2 months of service under the management. Further the dismissal order was issued without prior sanction of the management. The worker is entitled to be reinstated with full back wages and other benefits. Since the dismissal was illegal, the worker is entitled to get wages and other monetary benefits from the management for the period during which he was kept out of employment.

5. The management filed a counter statement raising the following contentions:- The Secretary is not a 'Workman', he is an officer as defined in the Kerala Co-operative Societies Act and therefore the reference is not sustainable. In August, 1970 the Registrar of Co-operative Societies had suspended the committee and had appointed an Administrator to control the affairs of the Society. The workman was in custody of the cash and records of the Society. He had misappropriated huge amounts of the Society. He did not keep proper and regular accounts. He sold coconuts without obtaining proper bonds or vouchers. He did not produce the counterfoils of the receipts relating to coconuts inspite of demands made by the Departmental authorities. He did not enter the price of coconuts of 13-8-1978 in the records of the Society. He had misappropriated the amounts realised by the sale of coconuts. Further the workman had to furnish a cash security of Rs. 2000. He had not deposited the cash security inspite of repeated demands. He had also fabricated records of the Society. In view of the above, on 11-11-1970 the Administrator served

a memo of charges on the workman. He was also kept under suspenion. The workman did not submit his explanation as required by the memo. Thus he had admitted the allegations. Therefore the Administrator dismissed the workman from service. The dismissal was ratified by the general body and the Deputy Registrar of Co-operative Societies. In case it is found that the enquiry was defective, the management may be afforded an opportunity to adduce evidence in justification of the order of dismissal. The Society had obtained ten awards against the workman for amounts due from him. Recently he has filed revision against two of the said awards. The amount due under the awards comes to rupees two lakhs. The Administrator had all the powers of the Managing Committee and therefore the action taken by him was correct. The claimant filed a case before the Arbitrator, Karthikappally challenging the order of dismissal. The claimant had admitted the verdict of the Arbitrator and he had not initiated any proceeding till 1977. The claimant is not entitled to any relief.

6. Exts. W1, M 1 to M17 were marked and M. Ws. 1 to 5 and W.W. 1 were examined.

7. While the workman was functioning as the Secretary of the Society, the Co-operative Department had found that the society was not functioning properly and therefore the Department appointed an Administrator for performing the functions of the Managing Committee. The acts of omission and commission, complained were done by the delinquent officer prior to the supersession of the Managing Committee. On 11-11-1970, the Administrator issued Ext. M14 under which Sri Rajappan was kept under suspension. The heading of Ext M14 is as follows:—" സംഘം വക പണാപഹരണത്തിനും, record കൾ ആവശ്യപ്പെട്ടിട്ട് സംഘത്തിൽ ഏൽപ്പിക്കാത്തതിനും, 13-8-1970-ലെ കേരവില കണക്കിൽ ചേർക്കാതെ അപഹരണം നടത്തിയതിനുമുള്ള നടപടി". It has been stated in para (1) that as per the bye-laws the Secretary is responsible for the proper maintenance of the Society's records (record കൾ എഴുതി സൂക്ഷിക്കുന്നതിനും). The second allegation is as per sub-clause 15 of bye-law 47, the responsibility for the safe custody of the records of the society rests with the Secretary and Sri Rajappan had violated both the above conditions. The third charge is that Sri Rajappan had not promptly accounted the amounts collected by him from the bidders, who had purchased coconuts in auction. Further he had not made available the bonds as well as the vouchers obtained from the bidders showing the amounts due from them and the innerfoils of the receipts issued to the members in proof of the number of coconuts delivered by them. It was also stated that the Secretary is liable for the theft of the amount of Rs. 91,604.03 being the price of coconuts due to the Society. The fourth charge is that Sri Rajappan had not furnished the cash security of Rs. 2,000 inspite of demands.

8. Sri Rajappan who was examined as W.W. 1 has stated in cross-examination that the irregularities were detected during the Administrator's period, that the Administrator had given him a chargesheet and his

re-collection is that he had given a reply. The witness further stated that he does not know the reason for not incorporating an averment to the above effect in the claim statement filed by him.

9. It has already been noticed, that very grave charges were framed against the Secretary Sri Rajappan. According to the management, Sri Rajappan had not filed any reply to the charges. The statements made by Sri Rajappan from the witness box go to show that actually he had not filed any statement or reply denying the charges. The Administrator had assumed that the charges were admitted and accordingly passed the order of dismissal. It is clear from a perusal of the charges framed against the Secretary, that the charges are of such a nature, that proof of anyone of them would result in the dismissal of the employee. When all the charges including those relating to falsification of accounts and misappropriation of about a lakh of rupees was admitted, the Administrator had no other go but to pass orders dismissing the employee. Thus even without going into the evidence, it can be held that the order of dismissal is correct.

10. One of the main grounds of attack is that the Administrator was not competent to dismiss the Secretary and therefore the order of dismissal is void. It has to be remembered that the Administrator was appointed after superceding the Managing Committee of the Society. Whatever action the Managing Committee was capable of taking could be taken by the Administrator acting alone. It is true that the dismissal was not effected after prior approval of the general body. But the matter has been subsequently placed before the general body and the general body has ratified the action taken by the Administrator. The Administrator had also obtained approval of the Co-operative Department. In the circumstances, there is no substance in the contention that the order of dismissal is void for want of authority. Before I conclude, I shall try to satisfy myself whether there is sufficient material to warrant the conclusions regarding the guilt of Sri Rajappan. As has been explained by the witnesses, the nature of the work of the society is go grant small loans to members, collect coconuts from them, sell the same in auction and appropriate the sale proceeds towards the amount due from the respective members. The bye-laws of the society do not provide for sale on credit of the coconuts collected from the members. In the present case about one lakh of rupees is due to the society being the value of the coconuts sold on credit. The defence of the Secretary is that the Managing Committee had authorised him to sell the coconuts on credit. The Secretary has not adduced any evidence to show that there is such a resolution. He could have called upon the management to produce the minutes book relating to that period. M.W. 4, a prior Administrator had stated in cross-examination that the Co-operative Department had directed that coconuts should not be sold on credit and that the minutes book prior to 1970 contains a resolution to the effect that coconuts can be sold on credit. Assuming there is such a resolution, the Secretary is not bound to obey the same since it is against the bye-laws and against the directions issued by the Co-operative Department. The Administrator has not stated that the resolution had authorised the Secretary to sell the

coconuts on credit without obtaining proper vouchers showing the amount due and without execution of proper bonds. In the present case the Secretary has not even stated in examination in chief that he had obtained bonds and vouchers from the respective bidders. Therefore even if he had authority to sell coconuts on credit by not taking proper documents from the bidders, the Secretary appears to have caused a loss of Rs. 99,604.03 to the Society.

11. The case of the society is that the coconuts were misappropriated by the Secretary and the names shown as the names of the bidders are all names of persons who had nothing to do with the transactions. Ext. M1 to M10 are the arbitration awards relating to the coconut sales. In all those cases, the alleged purchasers denied their liability. The society was not able to substantiate the claim as against the respective alleged bidders. In all those cases, the bidders figured as 1st defendent and the Secretary figured as the 2nd defendent. The 3rd defendent was the person who had held charge of the office of the Secretary for a short period and defendents 4 onwards were members of the managing committee. The Secretary had filed a revision before the Kerala Co-operative Tribunal. The Tribunal observed 'After joint trial, the Arbitrator found in each of the 9 cases with which we are now concerned, that though the Register of coconuts (Ext. P1) showed that sales were effected to the respective 1st defendent in each of the cases and that the amounts as stated in the plaints are due from them as per the records, there were no records signed by the 1st defendant or other evidence to prove that the transactions were true. The 1st defendant could not therefore be made liable. He further held that;

> "the reasons for not producing convincing evidence to prove liability of the 1st defendant was the negligence on the part of the 2nd defendant, who was bound to keep such records........ ....Thus, by not maintaining proper accounts regarding sale of coconuts, the 2nd defendant has failed to discharge his duties as envisaged in the bye-laws which resulted in heavy loss to the Society".

The 2nd defendant was therefore found liable for the loss sustained by the plaintiff as shown in the plaint. The Arbitrator found the 3rd defendant equally liable with the 2nd defendant for the amounts. The defendants 4 to 8 were also found liable, but their liability was fixed as secondary to that of the defendants 2 and 3 and they were allowed to be proceeded against, if the amounts were not found realisable from the defendants 2 and 3. Hence these revisions against the nine awards. The Tribunal held that the Society is not able to prove the sales which were denied by the alleged purchasers and held that reliefs can be granted against those responsible for the non-keeping of necessary records to prove the sale provided the person responsible had notice of the claim. The Tribunal concluded as follows:— "Here the documents produced by the society are not sufficient to prove the alleged sales and I do not find my way to agree

with the petitioner that the finding of the Arbitrator that the sales are not proved suffers from any infirmity. But I have to agree with the petitioner that normally there must be other documents which might or might not prove the sale. It was the petitioner who was to keep the necessary records of the sale, and it is his stand that he had kept such records. I am not forgetting the fact that it has come out in the evidence that the Secretary-petitioner did not hand over the records to the Administrator and that the records had to be obtained from him by force. Whatever that be, the petitioner can be made liable on the ground that the necessary records of the sale were not kept by him, thus making it impossible for the society to realise the price of coconuts from the 1st defendant and causing the society to suffer loss, only after giving him an oppertunity to prove the sale, or to prove that necessary documents to evidence the sale had been kept by him". In the present case the Secretary had not attempted to place before this court any material as detailed by the Co-operative Tribunal. On the other hand, M. W. 2 Sri Chakrapani whose name is seen at pages 45 to 57 of Ext. M12 the register relating to coconuts has come forward and sworn that he had not participated in the coconut auctions conducted by the Society. If actually the Secretary was in possession of documents to prove anyone of the transactions entered in the name of the witness, the witness would have been, confronted with those documents. Sri Govindan, another member has been examined as M.W.3. He has also stated that he had never participated in the auction and no amount is due from him. He was not cross-examined with reference to any vouchers or other documents executed by him. Inspite of the opportunity, the Secretary had of establishing that the alleged sales were genuine, he could not bring out anything to convince the court that M. Ws. 2 and 3 had purchased coconuts on credit from the society. One can only conclude that the entries in the accounts are fictitious and the Secretary had misappropriated the coconuts.

12. There appears to have been a prosecution under section 5 (1) (c) read with 5 (2) of the Prevention of Corruption Act and sections 408 and 477-A of the Indian Penal Code against the Secretary Sri Rajappan. The Special Judge, Trichur had found him guilty and had convicted him and sentenced him to undergo R. I. for 6 months and to pay a fine of Rs. 500. The prosecution case was that the accused had without paying the loan amount of Rs. 500 to one Padmakshi made false entries to the effect that he had advanced the amount to her and similar entries were made in the name of one Pappu. The learned judge came to the conclusion "The accused as paid Secretary is the Principal Executive Officer of the society and the defacto custodian of the cash it is very clear from the evidence that he dishonestly misappropriated the amount in his custody or control committed breach of trust and used it for his own purpose". The Learned Judge concluded "Having regard to these circumstances and facts I find the accused guilty of the offence under section 5 (1) (c) of the P. C. Act read with section 5 (2) of the same Act and also guilty of the offence under section 408 and 477-A I.P.C. and he is convicted

there under". The acts which resulted in the conviction were done by the accused more than 2 years prior to his dismissal. It was contended on behalf of Sri Rajappan that he has filed an appeal before the High Court against the conviction and sentence and therefore Ext. M17 the Judgment of the special Judge should not be relied on as a piece of evidence against him It is true that the appeal is still pending in the High Court. But the pendency of the appeal does not invalidate the conclusions of the trial judge. As a matter of fact, the charges which resulted in the conviction are not included in the charges levelled against Sri Rajappan by the Administrator and which were not denied by him. But Ext. M 17 probabilises the case of the management that Sri Rajappan has been indulging in falsification of accounts on a large scale.

13. Considering all the circumstances, I hold, that the dismissal of Sri Rajappan, paid Secretary of the Nallanikal Service Co-operative Society was amply justified.

14. In the result, I pass an award, upholding the dismissal of Sri Rajappan. No costs.

This award shall take effect on the expiry of 30 days from the date of publication in the Kerala Covernment Gazette.

Dictated to the Confidential Assistant, transcribed and typed out by him, corrected by me on this the 30th day of July, 1982.

T. V. KUNHAHAMED,
Presiding Officer.

Quilon

Appendix

Witness examined on the side of the Worker:

W. W.1—P. Rajappan.

Exhibits marked on the side of the Worker:

Ext. W1—Attested copy of order of the Kerala Co-operative Tribunal Trivandrum in R. P. Nos. 114/78 to 122/78 dated 19th September, 1980.

Witnesses examined on the side of the Management:

M. W. 1—R. Ratnakaran.

M. W. 2—Chakrapani.

M. W. 3—G. Narayanan.

M. W. 4—K. Gangadharan.

M. W. 5—K. Bodanandan.

Exhibits marked on the side of the Management:

Ext. M1 to-M10	—Arbitration awards (True copies)
Ext. M12	—Coconut price register.
Ext. M13	—Bye-laws of the society.
Ext. M14	—Copy of office memo dated 11-11-1970.
Ext. M15	—Minutes book.
Ext. M16	—22nd annual report and accounts for the year 1971-72
Ext. M17	—Judgement of the special Judge, Trichur.

Kerala Gazette No. 47 dated 30th November 1982.

PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G.O. (Rt.) No. 723/82/LBR. *Dated, Trivandrum, 9th July* 1982.

The award of the Labour Court, Ernakulam in respect of the dispute between the Manager, M/s. Ruby Engineering & Boat Building Corporation Palliarakkavu, Cochin-2 and the workman of the above concern Shri V. A. Paul, Turner, C/o Cochin Thuramugha Thozhilali Union, Cochin-2 received by Government on 28-6-1982 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,

K. Sivadasan,

Deputy Secretary to Government.

In the Labour Court, Ernakulam

Dated this the 17th day of June, 1982

Present :

Shri N. Sukumaran, B.Sc., B.L.

Presiding Officer

In

INDUSTRIAL DISPUTE No. 349 OF 1979

Between

The Manager, M/s. Ruby Engineering & Boat Building Corporation, Palliarakkavu, Cochin-2.

And

The workman of the above concern Shri V. A. Paul, Turner, C/o. Cochin Thuramugha Thozhilali Union, Cochin-2.

Representations:-

Shri A. V. Xavier, Advocate, Ernakulam. .. For *Management*

Shri P. F. Thomas, Advocate, Cochin-12. .. For *Workman*

GA.137/S.

AWARD

The issue referred for adjudication by Government as per G. O. (Rt. No. 1524/79/L & H dated 27-10-1979 is the dismissal of Shri V.A. Paul.

II Shri V.A. Paul was dismissed by the Management in a disciplinary proceedings initiated against him. There was a domestic enquiry into the charges. He was found guilty by the Enquiry Officer. The dismissal followed on the basis of that finding.

III The validity of the domestic enquiry was tried as a preliminary issue. I have found in my order dated 7-6-1982 that there was a valid domestic enquiry. I also confirmed the findings of the Enquiry Officer on two of the three counts of the charge. As regards the other I have said that there is no satisfactory evidence to endorse the view expressed by the Enquiry Officer. Facts necessary for the disposal of the case have been narrated in the preliminary order which I am extracting hereunder so as to make it a part of this award:—

"ORDER

Dismissal of an employee by name Shri V.A. Paul is the issue involved in this adjudication. Shri Paul was a Turner of the Establishment shown as the Management in the reference. While so disciplinary proceedings were initiated against him alleging that he while adopting a go-slow tactic himself instigated fellow workers also to do so and behaved in a manner amounting to insubordination to the Superior Officer the Foreman who advised him not to adopt such tactics. Proceedings were initiated on the basis of a report submitted by the Foreman before the Management on 13-10-1976. Shri Paul was placed under suspension with effect from 14-10-1976 as per a memo dated 13-10-1976. A domestic enquiry was ordered and an Advocate was appointed to conduct it. The Enquiry Officer held h s first sitting on 2-11-1976 with notice to Shri Paul. Shri Paul participated in the enquiry on that day. Then he was questioned as to whether he is guilty or not. He pleaded not guilty and the case was adjourned for further enquiry to 9-11-1976 on which day Shri Paul did not attend. The Enquiry Officer proceeded with the enquiry in his absence. Witnesses were examined and the Enquiry Officer gave his verdict that Shri Paul is guilty of the misconducts. Accepting the same the Management dismissed him. The correctness of the same is being challenged by the Union.

2. The Union in its claim statement while pleading innocence of the workman contends that the Management's action amounts to victimisation. According to the Union no proper charges were framed and no opportunity was given to the workman to explain his position. The memo dated 13-10-1976 is vague and the details of the misconduct attributed are not given therein. It was only an order of suspension. There was no proper

domestic enquiry. The Advocate appointed to conduct the enquiry was the legal adviser of the concern. He proceeded with the enquiry without supplying the necessary documents requested by the workmen. The enquiry was conducted without proper notice and the Enquiry Officer did so only to help the Management. The enquiry therefore is not proper. The findings are perverse. The punishment at any rate is dis-proportionate to the gravity of the misconduct if at all any. The workman, therefore, is entitled to reinstatement with all benefits.

3. The Management in its written statement justifies its action by saying that the workman was really guilty of the misconducts attributed to him and that proper charges were framed and served giving all opportunities to the workman to defend himself before the Enquiry Officer. The Enquiry Officer is not the legal adviser of the Management as alleged. He was fair and impartial and conducted the enquiry with notice to the workman. The workman who participated at the initial stage, purposely abstained subsequently in order to raise a complaint that he was not given sufficient opportunity to defend himself. The findings of the Enquiry Officer are supported by the evidence admitted and it cannot be termed as perverse. The punishment of dismissal is appropriate to the gravity of the proved misconduct and therefore the workman is not entitled to any reliefs.

4. The validity of the domestic enquiry is being tried as a preliminary issue in view of the rival contentions on that aspect. The Enquiry Officer was examined as MW1. He has proved Ext. M1 as the file containing the relevant records in connection with the domestic enquiry. Ext M1 (c) is the findings. The workman gave evidence as WW1. He has also produced and proved Ext. W1, the file containing copies of correspondence on this dispute between himself and his Union on the one part and the Management on the other.

5. The first objection of the Union is that no formal charges were framed giving the workman an opportunity to explain his position. According to the Union a memo placing him under suspension with effect from 14-10-1976 was tendered to him in person on 13-10-1976 and served on him by registered post on his refusal to receive it personally. The copy of the memo available in Ext. W1 file is Ext. W1 (a). Another copy of the same is available in Ext. M1 also. According to the Management there was a formal charge in addition to Ext W1 (a) and it is claimed that Ext. M2 is a copy of the same. The workman as WW1 admitted in cross-examination that he was given a memo on 13-10-1976 and a copy of the same was published on the notice board. He further admitted that Ext. M2 is a copy of that memo. Ext. M 2 is a proper charge in which the three items of misconduct are enumerated and the workman was asked therein to explain his position. In the face of that admission the criticism that no formal charges were framed is not sustainable even though the correspondence available in Ext. W1 file would indicate that only one memo was issued on

13-10-1976. The learned counsel appearing on behalf of the Union referred to me the various correspondence to indicate that there was only one memo on 13-10-1976. It is true that there is reference only to one memo in the correspondence. But the ambiguity available in the correspondence need not be given serious consideration in view of the admission of the worker as WW1 that he had received a copy of Ext. M2 charge. Even assuming for a moment that Ext. M2 was not served on the workman it does not make much of a difference as Ext. W1 (a) contains the details of the misconduct as enumerated in Ext. M2. So the objection that there was no proper charge is not tenable.

6. The next objection is that the enquiry was held ex-parte without proper notice to the workman. The workman admittedly had notice of the enquiry posted to 2-11-1976. He admittedly appeared before the Enquiry Officer on that day. The charge was read over to him and he pleaded not guilty. The proceedings of the enquiry contained in Ext. M1 shows that the enquiry was adjourned from 2-11-1976 to 9-11-1976. The endorsement is that the posting to 9-11-1976 is for documents and witness lists of both sides. The Enquiry Officer had also issued registered notice to the workman intimating him of the posting to 9-11-1976. Copy of that notice is Ext. M1(d). WW1 admits having received the same and the postal acknowledgement of the same Ext. M1(b) shows that the receipt was on 5-11-1976. In that notice it was informed that the Management intents to examine three witnesses and to produce in evidence a report submitted by the Foreman on 13-10-1976 before the Management. The workman evidently had notice of the posting to 9-11-1976. He did not appear on that day. The explanation now offered is that the posting to 9-11-1976 as per the proceedings paper was only for filing the list of witnesses and documents and the workman did not appear only because he had no documents or list of documents to be submitted and the Enquiry Officer should not have examined the witnesses on 9-11-1976, but adjourned the case to another date with notice to the workman for examination of witnesses. This explanation is far from convincing. Even though the case was adjourned on 2-11-1976 to 9-11-1976 with an endorsement in the proceedings paper that the posting is for filing the list of witnesses and documents the workman was subsequently informed under Ext. M1(d) sufficiently early that the Management had already filed its lists and documents and the enquiry will take place as scheduled. In the circumstances he had a duty to appear on 9-11-1976 and state that he has no documents or witnesses. There is no duty for the Enquiry Officer to assume that the workman is abstaining simply because he has no documents or witnesses. In the normal circumstances the Enquiry Officer can only think that the workman is not interested in participating in the enquiry. So there was nothing wrong in the procedure adopted by the Enquiry Officer in having examined the witnesses in the absence of the workman on 9-11-1976.

7. Another complaint is that the workman was not issued copies of records relied on by the Management before the enquiry was started. In Ext. W2 dated 30-10-1976 the workman while seeking an adjournment of the enquiry scheduled to 2-11-1976 complained that he was not given a proper charge-sheet. He also requested the Enquiry Officer to give him a copy of the report filed by the Foreman. Admittedly the copy of the report was not furnished at any time. But the workman who was present for the enquiry on 2-11-1976 is not seen to have persued his claims for copy of the documents. The proceedings show that the charge was read over to him and the enquiry adjourned to another date. If he was serious in getting a copy of the report then it was open to him to state that he cannot proceed without a copy of the report. At any rate he could have appeared on 9-11-1976 and claimed a copy. Even otherwise, it is seen that the contents of the report were re-produced in Ext. W1(a). Ext. W1(a) specifically states what all are reported by the Foreman. The report that is available among the records indicate that it does not contain anything more than the averments contained in Ext. W1(a). In these state of the affairs the failure to furnish a copy of the report and the other documents did not vitiate the enquiry in any way.

8. Yet another objection is that the Enquiry Officer was the legal adviser of the company. This allegation is denied by MW1. According to him he was appearing against the Management before 1976 and he appeared for the management for the first time in 1978. There is no evidence to the contra. So this contention has also to fail. Even if it is assumed that the Enquiry Officer was the legal adviser of the Managem ent Company it does not vitiate the enquiry. Even permanent paid employees of the Management are competent to conduct domestic enquiries. If that be so the position of an Advocate is much better.

9. Victimisation is attributed on the Management by saying that the workman's union activities are the cause for the same. But it is admitted by WW1 that his co-workmen were all active unionists and there were several office bearers. There is no case that the Management had proceeded against the others. It is the co-workers who had given evidence against the workman at the enquiry. In these state of affairs the allegation of victimisation cannot also be accepted as true.

10. In Ext. M1(d) the names of three witnesses alone were shown. Over and above those three witnesses the Managing Partner of the concern was also examined on 9-11-1976. This fact is pointed out by the learned counsel for the Union to say that the Enquiry Officer had permitted additional evidence. There is no prohibition in permitting the examination of additional witnesses at domestic enquiries. It is true that it was done in the instant case without notice to the workman. But there was no necessity of occasion to give notice to the workman as he chose to remain ex-parte. There is not much of importance in his evidence. He had only spoken to the fact that the report had been filed by the Foreman and action was taken accordingly.

11. From what has been stated above it is clear that the enquiry was held properly with notice to the workman and the workman purposely abstained.

12. The Union has another complaint that the findings of the Enquiry Officer are perverse. The unchallenged evidence reveals that the workman purposely adopted a go-slow tactic thereby affecting the normal production by fifty per cent of the usual turn out produced by him. It is also stated by them that Shri Paul was instigating the other workers to adopt such a policy. The first witness is the Foreman. His evidence is corroborated by witness Nos. 2 and 3 who are the co-workers of Shri Paul. The 4th witness is the Managing Partner. His evidence is not material on this aspect. The unchallenged evidence of the first three witnesses is sufficient to draw a resonable conclusion that the workman is guilty of the charges that he adopted a go-slow tactic and instigated the other workers to do likewise. But there is no convincing evidence in support of the allegation that he behaved in a manner amounting to insubordination. So the finding on that aspect is not proper and is hereby vacated. I confirm the finding of the Enquiry Officer on the remaining two items of misconducts.

13. In the result it is hereby ordered that the enquiry was properly conducted. The findings are confirmed subject to the modification mentioned above."

IV. It has now to be seen as to what reliefs, if any, the workman is entitled as per Section 11-A of the Industrial Disputes Act. The learned counsel appearing on behalf of the workman argues for the position that the workman has to be reinstated with all benefits as according to him the misconducts upheld by me are trivial. On the other hand the learned counsel appearing on behalf of the Management submitted that the misconducts are serious enough to sustain the punishment. Alternatively it is argued that there is no possibility for reinstatement in view of the subsequent development of closure of the establishment. According to the learned counsel the founder of the concern died recently and the widow and her children who are now in Management were faced with serious financial crisis necessitating a closure and therefore it is practically impossible to provide this workman even if it is directed that he is entitled to that relief. The claim that the establishment is closed is not accepted as correct by the Union. However it is conceded that the man who was at the helm of affairs passed away recently resulting in some disruption in the smooth functioning of the establishment.

V. Adopting go-slow tactics and attempting to persuade the other workers to do likewise are the misconducts established. They cannot be treated as grave enough to inflict the maximum penalty of dismissal. But in the circumstances of this case reinstatement with liability to pay back-wages will do substantial hardship to the Management. Adequate compensation will be sufficient relief. It is admitted that Shri Paul had joined

service in 1971. The dismissal was in 1976. The Management states in the written statement that his last drawn wages was at the rate of Rs. 6 per day. A sum of Rs. 5,000 as compensation in lieu of reinstatement will be adequate compensation in the circumstances. The workman will not be entitled to any other reliefs.

VI. In the result an award is passed directing the Management to pay Rs. 5,000 (Rupees five thousand only) as compensation to the workman. The workman will not be entitled to any other reliefs.

Ernakulam,
17-6-1982.

N. SUKUMARAN,
Presiding Officer.

Appendix

Witness examined on the Management's side:
MW1 Shri Sivadatha Menon.

Witness examined on the Workman's side:
WW1 Shri Paul.

Exhibits marked on the Management's side:

Ext.	M1	The file relating to the domestic enquiry against Shri Paul.
,,	M1(a)	A statement of Shri Paul recorded on 2-11-1976. (in Ext. M1 file).
,,	M1(b)	Postal acknowledgement signed by Shri Paul (in Ext. M1 file).
,,	M1(c)	Findings of the Enquiry Officer (in Ext.M1 file).
,,	M1(d)	Copy of a communication dated 2-11-1976 addressed to Sri Paul by Shri Sivadatha Menon, Advocate.
,,	M2	Copy of a memo dated 13-10-1976 framing certain charges against Shri Paul.

Exhibits marked on the Workman's side:

Ext.	W1	A file containing the copies of the correspondence between the Union and the Management regarding the disciplinary proceedings against Shri Paul.
,,	W1(a)	Copy of suspension order dated 13-10-1976 issued to Shri Paul.
,,	W2	Copy of a letter dated 30-10-1976 from Shri Paul to the Enquiry Officer requesting certain documents and also suggesting to postpone the enquiry fixed on 2-11-1976.

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 1048/82/LBR. *Dated, Trivandrum, 25th September 1982.*

The award of the Labour Court, Ernakulam in respect of the dispute between the Managing Director, Kerala State Bamboo Corporation Ltd., Angamali and the workman of the above concern Shri C. A. Varghese, Chirayath House, East Cheranalloor, via Perumbavoor received by Government on 20-8-1982 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
K. SIVADASAN,
Deputy Secretary to Government.

In the Labour Court, Ernakulam

Dated this the 12th day of August, 1982

Present :

SHRI N. SUKUMARAN, B. SC., B. L.,

Presiding Officer

In

INDUSTRIAL DISPUTE No. 54 of 1980

Between

The Managing Director, Kerala State Bamboo Corporation Limited, Angamali

And

The workman of the above concern Shri C. A. Varghese, Chirayath House, East Cheranalloor, via Perumbavoor.

Representations :

Shri B. S. Krishnan, Advocate, Ernakulam. .. For *Management.*

M/s M. V. Joseph, A. V. Xavier & B. Ranjit Kumar, Advocates, Ernakulam. .. For *Workman.*

AWARD

Termination of services of Shri C. A. Varghese is the issue referred for adjudication by Government as per G. O. (Rt.) No. 688/80/LBR dated 20-5-1980.

2. Shri Varghese was appointed as Bundling Supervisor Grade II initially for a period of one year by the Kerala State Bamboo Corporation Limited, Angamalr, a Government of Kerala Undertaking. His appointment was subsequently renewed twice at the intervals of one year. But his services were terminated with effect from 25-3-1977 invoking Clause 1 of the appointment order which admittedly runs as follows:—

"The appointment is on contract for a period of one year during which period the Corporation reserves the right to terminate his services even without assigning any reason thereof. Accordingly the appointment of Sri C. A. Varghese as Bundling Supervisor Grade II is hereby terminated with effect from the afternoon of 25-3-1977."

It is the validity of this termination that is being challenged.

3. There is no Union espousing the cause of the workman. Shri Varghese in his complaint filed before the Labour Officer and in the claim statement filed before this Court contends that he who had continuous service from 7-2-1974 to 25-3-1977 was terminated in violation of all principles of natural justice without assigning any reason and giving him an opportunity to defend his position, by way of a punishment and therefore he is entitled to reinstatement with all benefits. According to him the Management cannot take shelter under the above extracted clause.

4. The Management has raised various contentions in its written statement. They are the following:—

The reference itself is bad as it is made under Section 10 (1) (c) of the Industrial Disputes Act and not under Sec. 2-A of that Act. Section 10 (1) (c) of the Act can be invoked only when a Union has taken up the cause of the workman. Here there is only an individual dispute and it cannot be termed as an Industrial dispute. So the reference has to be rejected for this reason alone. Even otherwise Shri Varghese was not a workman as that term is defined in the Industrial Disputes Act. He was discharging duties and functions of a managerial personnel. For that reason also there does not exist an Industrial Dispute. Even on merits Shri Varghese has no right to question the validity of the termination as the Management had every right to terminate the services without assigning any reason as per Clause (1) of the terms of appointment. That termination is, therefore, valid. Even if it is assumed that the termination is bad for any reason it may be treated as a dismissal for misconduct and the Management allowed to substantiate the charges of misconduct against Shri Varghese. As a Bundling Supervisor Shri Varghese was being entrusted cash by way of

imprest money from time to time. It was his duty to account for the cash so entrusted to him. But he did not account an amount of Rs. 2,000 paid to him as imprest money on 27-8-1975. The omission was detected in the Head Office of the Corporation when attempts were made to reconcile the accounts. Thereupon Shri Varghese was directed to explain the discrepancy. But his explanation was not satisfactory. He was asked to remit the amount which he did. He was also given a show cause notice why disciplinary proceedings should not be initiated against him. There was a personal hearing into the matter. The services were terminated for the reason that Shri Varghese had misappropriated amounts. Shri Varghese who had committed misappropriation is not fit to hold the responsible post of Bundling Supervisor. That is a post to be manned by persons of utmost honesty and integrity. The Corporation has lost its confidence in Shri Varghese and therefore he cannot be permitted under any circumstances to continue in service. Shri Varghese should not be granted any reliefs.

5. In the rejoinder Shri Varghese states that the termination amounts to a retrenchment effected without observing the formalities prescribed under Section 25F of the Industrial Disputes Act and for that reason alone he is entitled to reinstatement with all benefits. It is further stated by him that the Management cannot be permitted to treat the termination as a dismissal and attempt to substantiate any misconduct against him. The allegation that he had received Rs. 2,000 on 27-8-1975 is denied. He had furnished satisfactory explanations on that aspect before the Management. But those explanations were not considered. He was also not given an opportunity to prove his innocence. He who is innocent is entitled to the relief of reinstatement with all benefits.

6. The evidence in the case consists of the testimony of Shri Varghese as WW1, MWs. 1 and 2, two Officers of the Management Corporation and Exts. M1 to M10.

7. Various contentions are raised by the Management Corporation against the maintainability of the reference. The first is that the reference should have been made under Section 2-A of the Industrial Disputes Act, 1947 (hereinafter referred to as the Act). In the reference order it is said that it is made under section 10 (1) (c) of the Act. That is the only provision under which Government could make a reference to the Labour Court. Section 2-A does not make any provision for making a reference. That section was introduced only to include individual disputes within the definition of an industrial dispute. So this contention of the Management has clearly no force and is only to be negatived. I do so.

8. The next contention is that Shri Varghese in his capacity as Bundling Supervisor Grade II was performing managerial functions and therefore he cannot claim himself to be a workman as that term is defined in Section 2 (s) of the Act. There is absolutely no evidence to show that Shri Varghese was discharging any managerial functions. On the other

hand it is admitted that he was drawing only a meager salary in the scale of Rs. 90-5-100-6-190. It is common case that Bundling Supervisors are put in charge of Depots where they have to make collection of reeds, arrange for transportation of the same to the destinations, distribute reeds to the persons employed in making mats and other products with bamboo, collect the finished products against payment, maintain accounts for all the transactions and to submit timely reports regarding the activities to the Management. His work mainly involved clerical and manual and he did not have any power to make policy decisions or to act in his own way. He had to act in accordance with the instructions of his superiors. There is no possibility for categorising him among the managerial personnel. The Management has no case that he is excluded from the definition of the workman for the reason that he is a Supervisor evidently because he was drawing less than Rs. 500. So he is a workman as defined in the Act. The contention otherwise is not tenable.

9. The termination order is not produced before me. But it is common case that it was a simple termination without assigning any reason invoking clause (1) of the appointment order which I have already extracted above. Admittedly Shri Varghese was in continuous service for more than three years when the termination was effected. Of course the management had powers to terminate the services under the particular clause of the appointment order. But still the termination amounts to a retrenchment as that term is defined in Section 2 (00) of the Act. But the formalities insisted by Section 25F of the Act were not followed. Hence the termination is illegal and invalid. It cannot take effect.

10. The management has an alternate case that the termination in effect was a dismissal for a misconduct. The case of the workman is also that he was dismissed under the guise of an innocent order of termination. But the workman is resisting the claim of the management to press into service the misconduct attributed to him, to support the dismissal or termination saying that the management cannot do so when it did not actually initiate disciplinary proceedings and conduct a domestic enquiry giving an opportunity for the workman to prove his innocence. But the management relies on the decision of the Supreme Court in *Gujarat Steel Tubes Ltd. v. Gujarat Steel Tubes Mazdoor Sabha* (1980 I L.L.J. 137) in support of its case that it can sustain its action by establishing a misconduct even when a termination simpliciter was effected. That was a case where the services of a number of employees were terminated without assigning special reasons for the same. There it was held in para 72 as follows.—

> "72. The law is trite that the management may still ask for an opportunity to make out a case for dismissal before the Tribunal. The refinements of industrial law in this branch need not detain us because the arbitrator did investigate and hold that the workmen were guilty of misconduct and the 'sentence' of dismissal was merited, even as the High Court did reappraise and reach, on both counts, the reverse conclusion."

The position was further made clear in para 77 which reads as follows:—

"77. If misconduct was basic to the discharge and no enquiry precedent to the dismissal was made the story did not end there in favour of the workmen. The law is well-settled that the management may still satisfy the Tribunal about the misconduct."

The law as laid down by the Supreme Court supports the contention of the Management and therefore it is at liberty to substantiate the case of the misconduct by fresh evidence before this Court.

11. Evidence had already been adduced by both sides regarding the merits of the allegation that Shri Varghese is guilty of a misconduct. So that evidence can now be considered to see whether any misconduct is established.

12. The misconduct attributed is that Shri Varghese did not account for a sum of Rs. 2,000 received by him as imprest money on 27-8-1975. The contention of Shri Varghese is that he did not actually receive Rs. 2,000 on that day. But however he had admitted in his replication that he had passed a voucher acknowledging receipt of money on 27-8-1975. That voucher is Ext. M9. Shri Varghese as WW1 had admitted that he issued the same. Ext. M2 is a memo dated 22-1-1977 issued to Shri Varghese. Receipt of the same is admitted by Shri Varghese in his evidence before me. In that memo reference is made to an earlier memo dated 19-6-1976 on the same subject and an explanation submitted by Shri Varghese in answer to the same on 25-6-1976. It is mentioned in Ext. M2 that the earlier explanation dated 25-6-1976 is not satisfactory and that the omission to account the amount of Rs. 2,000 received as imprest money is misappropriation. He was asked to show cause why disciplinary proceedings should not be initiated against him. Ext. M4 is the explanation submitted by Shri Varghese on 25-6-1976 to which reference is made in Ext. M2. Shri Varghese has no case before me that Ext. M4 was submitted by him under any compelling circumstances against his consent or free will. So Ext. M4 is to be treated as the stand taken up by Shri Varghese at that point of time. Therein he had no case that he did not receive the amount as alleged. On the other hand the explanation given is that there was too much of work for him at the relevant time and therefore he could not write the cash book regularly and therefore it was not possible for him to check the cash balance and that he feels that somehow he had lost the money for want of proper security or safety in the office. So Ext. M4 amounts to an admission of the fact that the amount was received and that the same was not accounted. Ext. M3 is an explanation submitted by Shri Varghese in answer to Ext. M2. There he had repeated the version in Ext. M4. He stated further that he knew of the omission to account the money only when he scrutinised the accounts maintained in the Head Office. It is also stated therein that the money

involved was lost by him somehow or other. He had confessed therein that it is a grave mistake to have omitted to make proper accounting. There is also an undertaking that he will not repeat such mistakes. Even before Ext. M3 explanation Shri Varghese had repaid the principal amount of Rs. 2,000 and interest thereon to the Corporation as directed by the latter. Exts. M5 and M6 are statements made by him requesting for time for payment of those amounts. In these state of affairs the present contention that Shri Varghese did not receive the money cannot be accepted as correct. The evidence, oral and documentary, has established that he actually received the money. That he did not account the same at the appropriate time is also admitted. Ext. M10 is the cash book maintained by Shri Varghese during the period with which we are concerned. No credit for the amount of Rs. 2,000 finds a place in Ext. M10 So the case of the Management that Shri Varghese received Rs. 2,000 on 27-8-1975 and that he did not account for the same stands established. The money had subsequently been repaid. So the action of Shri Varghese amounts to temporary misappropriation. It became temporary only because the ommission was detected and Shri Varghese asked to make the payment. Otherwise it would normally have remained as a permanent misappropriation.

13. Now the question remains as to whether Shri Varghese is entitled to any relief in the matter of punishment. It is not a case where Shri Varghese can plead that the misconduct is something trivial. Shri Varghese himself had stated in his explanation and the claim statement that the omission to make timely entries in the accounts of the money received is a grave offence. Of course in his explanations he had admitted the omission. But in the claim statement he went to the extent of denying the receipt of the money. In para 8 of the rejoinder Shri Varghese states as follows :-

> "It is true that people who are tempted to misappropriation should not be maintained by the Management. But in the instant case an innocent worker has been sent away for no fault of his...”

Now it is established that Shri Varghese committed a misappropriation and so he cannot legitimately claim that he should be entertained again by the Management. The Management's case that it has lost confidence in Shri Varghese has to be accepted in the circumstances. So he is not entitled to any reliefs in the matter of punishment. But I make it clear that I do not propose to convert the termination into one of dismissal as that may amount to an enhancement of the punishment which I should not do. The termination effected will stand not as a retrenchment but as a punishment for the misconduct. An award is passed confirming the termination of the services of Shri Varghese and finding that he is not entitled to any reliefs.

N. SUKUMARAN,
Presiding Officer.

(Camp) Kottayam,
12-8-1982.

Appendix

Witness examined on the Workman's side :

WW1 Shri C. A. Varghese.

Witnesses examined on the Management's side :

MW1 Shri Jose Vattoly.

MW2 ,, Chandrasekharan, V. R.

Exhibits marked on the Management's side :

Ext. M1.	Copy of the proceedings of the General Manager dated 2-2-1974 regarding the appointment of the Bundling Supervisors including Shri C. A. Varghese.
,, M2.	Copy of a memo dated 22-1-1977 issued to Shri Varghese regarding the imprest money of Rs. 2,000
,, M3.	Copy of the explanation submitted by Shri Varghese on 31-1-1977.
,, M4.	Copy of the explanation of Shri Varghese dated 25-6-1976.
,, M5.	Copy of a submission of Shri Varghese dated 22-6-1976.
,, M6.	Do. 24-6-1976.
,, M7.	Copy of a memo dated 30-1-1975 issued to Shri Varghese.
,, M8.	Copy of a memo dated 14-6-1976 issued to Shri Varghese.
,, M9.	Cash voucher No. 1706 for Rs. 2,000 paid to Shri C. A. Varghese.
,, M10.	Relevant pages of the cash book dated 27-8-1975 signed by Shri C. A. Varghese.

Kerala Gazette No. 47 dated 30th November 1982

PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 1051/82/LBR. *Dated, Trivandrum, 25th September* 1982.

The award of the Labour Court, Ernakulam in respect of the dispute between Shri. V. M. Joseph, Employer, Jos Metal Industries, Engineers, Contractors & Welders, Manufacturers of Sardine Key, Kaloor, Cochin-17 and the workman of the above establishment Shri P. C. Joseph, Puthenveetil, Manaraparambu, Near Lissy Hospital, Cochin-18 received by Government on 17-8-1982 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,

K. SIVADASAN,

Deputy Secretary to Government.

In the Labour Court, Ernakulam

Dated this the 10th day of August, 1982

Present:

SHRI N. SUKUMARAN, B. SC., B. L.,

Presiding Officer

INDUSTRIAL DISPUTE No. 14 of 1981

Between

Shri V. M. Joseph, Employer, Jos Metal Industries, Engineers, Contractors & Welders, Manufacturers of Sardine Key, Kaloor, Cochin-17.

And

The workman of the above establishment Shri P. C. Joseph, Puthenveetil, Manaraparambu, Near Lissy Hospital, Cochin-18.

Representations:—

M/s M. V. Joseph, A. V. Xavier & B. Ranjit Kumar, Advocates, Ernakulam — For *Management*

Shri K. Janardhanan, Advocate, Ernakulam. — For *Workman*

AWARD

The issue referred for adjudication by Government is "Denial of employment to Shri P.C. Joseph". The reference is as per G.O. (Rt.) No. 335/81/LBR dated 10-3-1981.

2. This is an individual reference. Shri P.C. Joseph in his charter of demands appended to the reference as well as the rejoinder filed before this Court contends that he who was continuously working for fourteen years under the Management was denied employment on 14-11-1979 without assigning any reason whatsoever. According to him the denial followed on his demand for an enhancement in wages from Rs. 12 that was then being paid to him.

3. The Management in its written statement contends that there was no denial of employment and that it was actually a case of abandonment by Shri P.C. Joseph to take up employment in another concern by name City Engineering Workshop. Shri Joseph had taken a loan of Rs. 2,500 to meet the expenses of his marriage from the Management. After the marriage Shri Joseph attended work only for a week. He left on his own accord thereafter and raised the complaint before the Labour Officer nearly three months after without advancing any claims direct to the Management. Shri Joseph is, therefore, not entitled to any reliefs. Even otherwise the remedy of Shri Joseph is not to raise an industrial dispute but to approach the Appellate Authority under the Kerala Shops and Commercial Establishments Act. The reference is, therefore, not maintainable also.

4. The evidence in the case consists of the testimony of MWs. 1 to 4, WW1 and Exts. M1, M2 and W1.

5. The contention that the remedy should have been sought under the provisions of the Shops and Commercial Establishments Act and therefore the reference is not maintainable was not pressed before me. So the main point arising for consideration is as to whether there was a denial of employment or a voluntary abandonment.

6. The workman Shri Joseph as WW1 swears in support of his case that he was denied employment with effect from 14-11-1979. The Proprietor of the concern as MW4 denies this allegation and states further that Shri Joseph voluntarily abandoned the job on 10-11-1979. Ext. M2 Acquittance Roll is relied on by the Management in support of the claim of MW4 that the crucial date is 10-11-1979. But we have to remember that there was no challenge in the written statement regarding the claim of the workman that the termination was on 14-11-1979. It is also seen from the entry appearing on the relevant page of Ext. M2 that there are corrections in the date given therein and the amount of wages paid. If as a matter of fact the Management had any dispute regarding the last date on which Shri Joseph attended work then naturally a contention to that effect would have been

raised in the written statement. The correction in the date appearing in Ext. M2 gains importance when viewed in this background. The date is also not much relevant as there is no substantial period is involved by way of difference.

7. There is no direct evidence regarding the actual manner in which Shri Joseph severed connections with this Management apart from the interested versions of the parties. But there is controversy as to whether Shri Joseph immeoiately took up employment in another similar establishment or not. According to the management Shri Joseph abandoned it to take up employment under better service conditions in the City Engineering Workshop. MW2 was the Managing Partner of that concern in 1979. He has given evidence that Shri Joseph joined the City Engineering Workshop early in November 1979. MWs. 1 and 3 have also given evidence that Shri Joseph who was formerly employed under MW4 was seen working in the City Engineering Workshop after the first week of November. We have also Ext. M1 acknowledgement card under which Shri Joseph had received a registered postal article. Address given therein is City Engineering Works. MW4 states that a friend of his had issued the communication by registered post to Shri Joseph to secure evidence on his presence as a workman in that establishment. Shri Joseph had admitted that he had received the postal article as per Ext. M1. When examined Shri Joseph admitted before me that he had worked occasionally in the City Engin ering Works. But his case is that it was only of a casual nature. The learned counsel for the workman vehemently argued before me that Ext. M1 need not be conclusive proof that the postal article was tendered and accepted in the address shown therein. The argument is that Shri Joseph's house address would have been written on the cover and a different address given on the acknowledgement and there was a possibility of it being signed without noticing the discrepancy. But Shri Joseph has no such case in his evidence. So this argument cannot be accepted. There are no reasons why MW2 should be disbelieved when he says that Shri Joseph was entertained as a permanent employee in City Engineering Works even though MW2 had taken severed his connections with that establishment. The weight of the evidence available is that Shri Joseph is being employed in the City Engineering Works soon after he ceased to work with MW4. It is common case that Shri Joseph married a few days prior to the date on which he ceased to work with MW4. It is also the case of Shri Joseph that he wanted an enhancement in his wages. That claim is stated to be the reason for the denial. The evidence of MW2 and even the admission of WW1 indicates that Shri Joseph was paid in City Engineering Works more than what was paid in the establishment of MW4. These situations are relied on by the management to argue for the position that this is a case of actual abandonment and not denial.

8. The management has a case that Shri Joseph took a loan of Rs. 2,500 for meeting the expenses in connection with his marriage early in November 1979. The case that such a loan was advanced is stated by the management

as a reason for non-payment of the benefits due to Shri Joseph for the services that he had rendered when he left it. MWs. 1 and 3 where examined to speak in support of the alleged loan transaction. Shri Joseph denies having taken such a loan. Ext. M3 account book is another piece of evidence relied on by the management to prove that a loan in fact was advanced. But it is unnecessary for me to consider the validity of the alleged loan transaction as it is a matter for the civil court and not for this court to adjudicate. So I do not propose to examine the evidence regarding the alleged loan transaction.

9. Ext. W1 is a certificate admittedly issued by MW4 to Shri Joseph on 7-12-1978. It states that Shri Joseph was working as a Turner from 4-7-1968 and that he was the Turner Supervisor at the time the certificate was issued. The certificate goes on to say that Shri Joseph is a faithful and reliable employee having good character and conduct. This certificate cannot help us in any way in resolving the controversy before us.

10. Shri Joseph himself had admitted though not in so many words that he was no more interested in continuing under this management and he only wanted the benefits payable to him for the past services when the management told him that his services are no more required. He had also stated that he approached the management thereafter only to see whether he would get such benefits. When all these facts and circumstances are taken together it would appear that Shri Joseph soon after his marriage went in search of better employment that was available to him. The other evidence available indicates that the relationship between the employer and the employee was very cordial. The management is seen to have issued a certificate like Ext. W1 giving glorious tribute to Shri Joseph. Both WW1 and MW4 have stated that MW4 had given some money by way of gift to Shri Joseph at the time of his marriage. The severance of connection is seen to have occurred soon after. In these state of affairs I am inclined to accept the case of the management that Shri Joseph had voluntarily abandoned his services.

11. Now remains the question as to whether Shri Joseph is entitled to any reliefs. Normally he is not entitled to any reliefs as he had abandoned the job. But the Management States that his benefits were not paid only because the loan was outstanding. The dispute regarding the matter as already stated is not an issue which I should decide. That is a matter for the Civil Court. Similarly the Civil Court cannot adjudicate the benefits that is due to Shri Joseph. The only case of MW4 is that the benefits cannot be paid because of the loan. In these state of affairs I feel that Shri Joseph can be paid his benefits on the basis of his past services. Shri Joseph claims that he had put in 14 years of service. That claim is not denied in the written statement. But Ext. W1 certificate shows that he was working only from 1968. The certificate retained and produced by Shri Joseph has to be given importance regarding its contents also. The origin of the service given therein is 4-7-1968 which alone can be accepted in the circumstances as the starting point. So the length of service is 11 years

He is entitled to fifteen days wages for each completed year of service as gratuity. His daily wages admittedly was Rs. 12. So the gratuity payable is 12 x 15 x 11=Rs. 1,980. The Management is directed to pay that much amount to Shri Joseph.

12. In the result an award is passed directing the Management to pay Shri P. C. Joseph a sum of Rs. 1,980 as gratuity. Shri Joseph is not entitled to any other reliefs.

Ernakulam,
10-8-1982.

N. SUKUMARAN,
Presiding Officer.

Appendix

Witnesses examined on the Management's side :

MW1 Shri Nathan.
MW2 ,, Mohandas, V.
MW3 ,, M. K. George.
MW4 ,, V. M. Joseph.

Witness examined on the Workman's side :

WW1 Shri P. C. Joseph.

Exhibits marked on the Management's side :

Ext. M1. Postal acknowledgement signed by Shri P. C. Joseph.
,, M2. Acquittance Roll of the Management from 6-5-1978.
,, M3. Account book of the Management for the year 1979-80.
,, M3(a). Page 35 of Ext. M3.

Exhibit marked on the Workman's side :

Ext. W1. A certificate dated 7-12-1978 issued to Shri P. C. Josepl from Jos Metal Industries, Kaloor.

GOVERNMENT OF KERALA

Law (Legislation-Publication) Department

NOTIFICATION

No. 15300/Leg. Pbn. 2/82/Law. *Dated, Trivandrum,* 14*th October* 1982.

The following Act of Parliament, published in a Gazette of India Extraordinary, Part II-Section 1, dated the 30th July, 1982, is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on the 30th July 1982.

By order of the Governor,
K. VISWANATHAN NAIR,
Special Secretary (Law).

THE PREVENTION OF CRUELTY TO ANIMALS (AMENDMENT) ACT, 1982 (C. A. No. 26 of 1982)

An

Act

to amend the Prevention of Cruelty to Animals Act, 1960.

Be it enacted by Parliament in the Thirty-third Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Prevention of Cruelty to Animals (Amendment) Act, 1982.

2. *Amendment of section* 2.—In section 2 of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960) (hereinafter referred to as the principal Act), for clause (b), the following clause shall be substituted namely:—

'(b) "Board" means the Board established under section 4, and as reconstituted from time to time under section 5 A;'.

3. *Substitution of new heading for heading of Chapter II.*—In the principal Act, in Chapter II, for the heading, the following heading shall be substituted, namely:—

"ANIMAL WELFARE BOARD OF INDIA"

4. *Amendment of section 4.*—In section 4 of the principal Act, in subsection (1), for the words "Animal Welfare Board", the words "Animal Welfare Board of India" shall be substituted.

5. *Amendment of section 5.*—In section 5 of the principal Act,—

(a) in subsection (1),—

(i) after clause (b), the following clauses shall be inserted, namely:—

"(ba) two persons to represent respectively the Ministries of the Central Government dealing with home affairs and education, to be appointed by the Central Government;

(bb) one person to represent the Indian Board for Wild Life, to be appointed by the Central Government;

(bc) three persons who, in the opinion of the Central Government, are or have been actively engaged in animal welfare work and are well-known humanitarians, to be nominated by the Central Government;";

(ii) for clause (e), the following clause shall be substituted, namely:—

"(e) one person to represent each of such two municipal corporations as in the opinion of the Central Government ought to be represented on the Board, to be elected by each of the said corporations in the prescribed manner; ";

(b) in subsection (2), for the word, brackets and letter "clause (b)", the words, brackets and letters " clause (b) or clause (ba) or clause (bb)" shall be substituted;

(c) for subsection (3), the following subsection shall be substituted, namely:—

"(3) The Central Government shall nominate one of the members of the Board to be its Chairman and another member of the Board to be its Vice-Chairman.".

6. *Insertion of new section 5 A.*—After section 5 of the principal Act, the following section shall be inserted, namely:—

"5A. *Reconstitution of the Board.*—(1) In order that the Chairman and other members of the Board hold office till the same date and that their terms of office come to an end on the same date, the Central Government may, by notification in the Official Gazette, reconstitute, as soon as may be after the Prevention of Cruelty to Animals (Amendment) Act, 1982 comes into force, the Board.

(2) The Board as reconstituted under subsection (1) shall be reconstituted from time to time on the expiration of every third year from the date of its reconstitution under subsection (1).

(3) There shall be included amongst the members of the Board reconstituted under subsection (1), all persons who immediately before the date on which such reconstitution is to take effect, are members of the Board but such persons shall hold office only for the unexpired portion of the term for which they would have held office if such reconstitution had not been made and the vacancies arising as a result of their ceasing to be members of the Board shall be filled up as casual vacancies for the remaining period of the term of the Board as so reconstituted:

Provided that nothing in this subsection shall apply in relation to any person who ceases to be a member of the Board by virtue of the amendment made in subsection (1) of section 5 by sub-clause (ii) of clause (a) of section 5 of the Prevention of Cruelty to Animals (Amendment) Act, 1982.".

7. *Substitution of new section for section 6.*—For section 6 of the principal Act, the following section shall be substituted, namely:—

"6. *Term of office and conditions of service of members of the Board.*—(1) The term for which the Board may be reconstituted under section 5A shall be three years from the date of the reconstitution and the Chairman and other members of the Board as so reconstituted shall hold office till the expiry of the term for which the Board has been so reconstituted.

(2) Notwithstanding anything contained in subsection (1),—

(a) the term of office of an *ex officio* member shall continue so long as he holds the office by virtue of which he is such a member;

(b) the term of office of a member elected or chosen under clause (c), clause (e), clause (f), clause (g), clause (h) or clause (i) of section 5 to represent any body of persons shall come to an end as soon as he ceases to be a member of the body which elected him or in respect of which he was chosen;

(c) the term of office of a member appointed, nominated, elected or chosen to fill a casual vacancy shall continue for the remainder of the term of office of the member in whose place he is appointed, nominated, elected or chosen;

(d) the Central Government may, at any time, remove for reasons to be recorded in writing a member from office after giving him a reasonable opportunity of showing cause against the proposed removal and any vacancy caused by such removal shall be treated as casual vacancy for the purpose of clause (c).

(3) The members of the Board shall receive such allowances, if any, as the Board may, subject to the previous approval of the Central Government, provide by regulations made in this behalf.

(4) No act done or proceeding taken by the Board shall be questioned on the ground merely of the existence of any vacancy in, or defect in the constitution of, the Board and in particular, and without prejudice to the generality of the foregoing, during the period intervening between the expiry of the term for which the Board has been reconstituted under section 5 A and its further reconstitution under that section, the *ex officio* members of the Board shall discharge all the powers and functions of the Board.".

8. *Amendment of section* 7.—In section 7 of the principal Act, in subsection (1), the words "one of its officers to be" shall be omitted.

9. *Amendment of section* 9.—In section 9 of the principal Act,—

(a) in clause (d), for the words "ameliorating the condition of beasts of burden", the words "amelioration of animals" shall be substituted ;

(b) in clause (g), for the words "the formation of *pinjrapoles*, sanctuaries and the like", the words "the formation or establishment of *pinjrapoles*, rescue homes, animal shelters, sanctuaries and the like' shall be substituted.

10. *Amendment of section* 11.—In section 11 of the principal Act,—

(a) in subsection (1),—

(i) in clause (b), for the words "employs in any work or labour any animal which, by reason of any disease", the words "employs in any work or labour or for any purpose any animal which, by reason of its age or any disease" shall be substituted ;

(ii) in clause (c), for the words "any domestic or captive animal", at both the places where they occur, the words "any animal" shall be substituted ;

(iii) in clause (h), for the words "any captive animal", the words "any animal" shall be substituted ;

(iv) for clause (l), the following clause shall be substituted, namely:—

"(l) mutilates any animal or kills any animal (including stray dogs) by using the method of strychnine injections in the heart or in any other unnecessarily cruel manner; or";

(v) for clause (m), the following clause shall be substituted, namely:—

"(m) solely with a view to providing entertainment—

(i) confines or causes to be confined any animal (including tying of an animal as a bait in a tiger or other sanctuary) so as to make it an object of prey for any other animal ; or

(ii) incites any animal to fight or bait any other animal ; or" ;

(vi) in clause (n), the words "for the purposes of his business," shall be omitted ;

(vii) for the portion beginning with the words "in the case of a first offence" and ending with the words "or with both.", occurring at the end, the following shall be substituted, namely:—

"in the case of a first offence, with fine which shall not be less than ten rupees but which may extend to fifty rupees, and in the case of a second or subsequent offence committed within three years of the previous offence, with fine which shall not be less than twenty-five rupees but which may extend to one hundred rupees or with imprisonment for a term which may extend to three months, or with both." ;

(b) in sub-section (3), in clause (b), for the words "by other methods with a minimum of suffering", the words "by such other methods as may be prescribed" shall be substituted.

11. *Amendment of section* 12.—In section 12 of the principal Act, for the words "*doom dev*", the words and brackets "*doom dev* or any other operation (including injection of any substance) to improve lactation which is injurious to the health of the animal" shall be substituted.

12. *Amendment of section* 13.—In section 13 of the principal Act, in subsection (3), the words "in such manner as may be prescribed" shall be inserted at the end.

13. *Insertion of new section* 15A.—After section 15 of the principal Act, the following section shall be inserted, namely:—

"15A. *Sub-committees*.—(1) The Committee may constitute as many sub-committees as it thinks fit for exercising any power or discharging any duty of the Committee or for inquiring into or reporting and advising on any matter which the Committee may refer.

(2) A sub-committee shall consist exclusively of the members of the Committee.".

14. *Amendment of section* 17.—In section 17 of the principal Act, after sub-section (1), the following sub-section shall be inserted, namely:—

"(1A) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for the following matters, namely:—

(a) the registration of persons or institutions carrying on experiments on animals ;

(b) the reports and other information which shall be forwarded to the Committee by persons and institutions carrying on experiments on animals.".

15. *Amendment of section* 32.—In section 32 of the principal Act, in sub-section (2), for the words "*doom dev*", the words and figures "*doom dev* or any other operation of the nature referred to in section 12" shall be substituted.

16. *Amendment of section* 38.—In section 38 of the principal Act,—

(a) in sub-section (2),—

(i) in clause (a), the words "terms and" shall be omitted;

(ii) after clause (a), the following clause shall be inserted, namely:—

"(aa) the manner in which the persons to represent municipal corporations are to be elected under clause (c) of sub-section (1) of section 5 ; " ;

(iii) after clause (c), the following clauses shall be inserted, namely:—

"(ca) the other methods of destruction of stray dogs referred to in clause (b) of sub-section (3) of section 11;

(cb) the methods by which any animal which cannot be removed without cruelty may be destroyed under sub-section (3) of section 13 ;" ;

(iv) after clause (j), the following clause shall be inserted, namely:—

"(ja) the fees which may be charged by the Committee constituted under section 15 for the registration of persons or institutions carrying on experiments on animals or for any other purpose ; " ;

(b) sub-section (4) shall be omitted.

17. *Insertion of new section* 38 A.—After section 38 of the principal Act, the following section shall be inserted, namely:—

"38A. *Rules and regulations to be laid before Parliament.*—Every rule made by the Central Government or by the Committee constituted under section 15 and every regulation made by the Board shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation, as the case may be, or both Houses agree that the rule or regulation, as the case may be, should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation. ".

18. *Change of name of Animal Welfare Board not to affect any rights or obligations, etc.*—The change of name of the Animal Welfare Board by section 4 shall not affect any rights and obligations of that Board or render defective any legal proceedings by or against it, and any legal proceedings which might have been continued or commenced by or against that Board by its former name may be continued or commenced by or against it by its new name.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 9639/TC2/82/TF&P. *Dated, Trivandrum, 24th September* 1982.

S.R.O. No. 1438/82.—Whereas representations have been received by Government from the Stage Carriage Operators specified in the annexure to this notification that the vehicle tax for the quarter ended on the 30th June, 1982 in respect of their Stage Carriages particulars of which are specified in the said annexure could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of these vehicles may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operators of the said stage carriages could not remit the vehicle tax in respect of the said stage carriages ordinarily kept for use in the State for the quarter ended on the 30th June, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriages due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 30th June, 1982 in respect of the said stage carriages;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 30th June, 1982 in respect of the said stage carriages ordinarily kept for use in the State shall be paid on or before the 31st May, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TG2/75-5/PW., dated the 29th September, 1975 published as S.R.O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated 29th September, 1975.

G. 1492.

ANNEXURE

Sl. No.	Name of the Stage Carriage Operator	Registration Number of the Stage Carriage
(1)	(2)	(3)
1	Shri A. G. Muralidharan, Ambat House, Oachenthuruthu, Ernakulam.	KLF 3025
2	Managing Director, R.K.V. Motors & Timbers Private Limited, Trivandrum.	KLT 4192 KLT 6616 KLT 6617, KLT 6417
3	Shri K. U. Siromani, Mampully House, P.O. Anthikad, Trichur	KLR 9300
4	Shri A. G. Nandakumar, Ainikunnath House, Chiyyaram, Ollur, Trichur.	KLF 2054
5	Shri K. V. Sathyan, Kariyezhuthu House, West Perinnanam, Trichur.	MLR 8611
6	Shri P. T. Thomas, Peruvanthuruthil House, Kedamangalam, North Parur.	KEE 3758
7	Shri O. V. Harilal, Ottalil House, Valappad, Trichur.	KLF 1276
8	Shri K. Sudhakaran, Kizhakkoot House, Panangad, Trichur.	KLF 1688
9	Mrs. Vanaja, w/o M. G. Purushothaman, Nettikkattil House, Kandanamkadavu, Trichur.	KRR 5803

(1)	(2)	(3)
10	Shri K. Vijayan, Kizhakkoot House, Panangad, Trichur.	KLH 6070
11	Shri A. V. Itteera, Arikkal House, Marottichal P. O., Mannamangalam, Trichur.	KLH 7957
12	Smt. Valsala Antony, Ukkaran House, Ollur, Trichur.	KLH 1904
13	Sri P. A. Sophia, Palayamkottu House, Pullut P. O., Trichur.	KLE 6128
14	Shri M. Chandrasekharan Pillai, Puthuparambil House, Chalakudy	KLH 6000
15	Shri M.S. Venugopal, Manamel House, Konothukunnu, Trichur	KRE 5383
16	Shri K.K. Antony, K. K. and Sons, Trichur	KLH 53
17	Shri Thomas Baby Moly Motor Service, Panthalloor House, Ollur P.O., Trichur	KLR 9594
18	Managing Partner, Avon Transport, South Bazar, Cannanore	KLN 430
19	Shri K.T. Vijayan, Bright Villa, Near Government Mixed U.P. School, Talap, Cannanore-2	KLN 7902

(1)	(2)	(3)
20	Managing Partner, N.G. Brothers Transport, Cannanore	KLN 655 KLC 8258
21	Shri K.C. Abraham, Nambanath House, Perukottukara P.O., Trichur	KLF 9242
22	Shri V.S. Ramakrishnan, Sri Sankara Transport, Kanjani, Trichur	KLF 9475 KLR 7947 & 9331
23	Shri V.K. Sukumaran, S/o Karthikeyan, Valapparambil House, Kanjani, Trichur	KRR 336, 2721 KLH 8357
24	Shri O. Kochumman, Thoppil Veedu, Edaman P.O., Punalur	KLU 8065
25	Smt. V. Vasanthi, w/o Chandrasenan, Chandramangalam, Sreenivaspuram, Muttppalam, Varkala	KRV 4244
26	Shri N. Vijayananthan Pillai, Sreekrishna Motors, Punalur, Quilon	KLU 1742 KLU 4221 KLF 9051
27	Smt. P.A. Mini, Panayappalli House, Kalamassery, Ernakulam	KLP 5269 KLF 9369
28	Shri P.J. Oommen, Kaloor, Ernakulam.	KRB 2556
29	Shri C.M. Chandramathy, Suma Sadan, Baliapatam, Cannanore	KLC 671 KLC 4140 KLC 5256 KLN 705 KLN 927 KRV 3155 KRV 5274

(1)	(2)	(3)
30	Proprietor, Prakash Bus Service, Tellicherry, Cannanore	KLN 1424 KRE 3690 KLN 8255 KLC 5533 KLC 4908
31	Proprietor, Balakrishna Transport, Tellicherry, Cannanore	KLC 4735 KLC 4553
32	Proprietor, Baby Transport, Tellicherry, Cannanore	KLN 1965 KLN 8262
33	Manager, Cholapuram Road Transport M.R.S. Buildings, T.C. Road, Tellicherry,	KLZ 7862 KLCM 8792
34	Manager, Malabar Public Conveyance, T.C Road, Tellicherry.	KLC 2650
35	Shri K. R. K. Nambiar, Babu Bus Transport, Tellicherry	KLC 6506 KLN 8161
36	Shri C. K. Raghavan, Gandeev Motors Tellicherry	KLC 5929 KLN 96
37	Shri T. V. Balan Nair, Arun Sadan, Manathana, Tellicherry	KLC 3792
38	Shri M. P. Androo, Jasmine Manzil, P.O. Champad, Tellichery	KLC 8296
39	Smt. Ayisha Moidu, Shakeel Gulsham, Good Shed Road, Tellicherry-1	KLC 4748
40	Shri C.P. Aboobacker, N. K. House, Near Town Hall, Tellicherry	KLZ 561 KLC 6149

(1)	(2)	(3)
41	Shri K.P. Kumaran, Anil Roadways, P.O., Paduvacherry, Tellicherry	KLC 5441 KLC 8601
42	Shri K.C. Lakshmanan, Keycee Bus Transport, Tellicherry	KLZ 897 KLC 6793
43	Shri V. Narayanan, Gel. Merchants, P.O. Palayad, Tellicherry	KLC 5343
44	Shri K. Raghavan Nair, Prabha Transport, Tellicherry	KLC 8312 KLN 1434
45	Shri M. Mohamed Hajee, Madianpurath House, P.O. Pandakkal, Tellicherry	KLC 6093
46	Shri P. Balaram, Krishnaram Motors, P.O. Mundayad, Cannanore	KLC 7571
47	Shri K. Govindan, Kairali Travels, Manda P. O.	KLC 6492
48	Shri K. Hameed, Kurumkalathi House, P. O. Vadakumpad, Tellicherry	KLC 8026 KLC 7794
49	Shri K. Kunhiraman, Swarna Transport, Cannanore.	KLC 8278 KLC 4130
50	Smt. P. K. Shantakumari, Goods Shed Road, Tellicherry.	KLC 5652 KLN 1800
51	Managing Partner, Panjami Transports, Tellicherry.	KLC 4655
52	Shri K P. Abooty Hajee, Kayanadath House, Pinarayi P. O.	KLC. 891
53	Shri M. Asokan, Veetha Roadways, Cannanore.	KLN 689

(1)	(2)	(3)
54	Shri O. K. Balakrishnan, Jan Nivas, Muzhappilangad, Tellicherry.	KLN 1486
55	Smt. T. P. Omana Amma, Pulukool, Kunnoth House, Adoor P. O., Kadachira.	KLN 2369
56	Shri P. P. Mohanachandran, Lizina, Eranholi, Tellicherry.	KLZ 5257
57	Shri M. P. Assainar, Kaideryparambath House, Nettur, Tellicherry-5	KLZ 7147
58	Shri V. Prushothaman, Meppadan House, Valliyayi, Pathayakunnu P.O., (via) Tellicherry.	KLZ 1047 KLM 2859
59	K. K. Ravindran, J. T. Road, Badagara.	KLZ 2546
60	Shri N. K. Devikutty Amma, Punchiri Motor Service, Badagara.	KLZ 1338
61	Shri K. N. Kunhi Abdulla, Shakira Manzil, Thavakkara Road, Cannanore.	KLD 9329
62	Shri P. Bhaskaran, J. T. Road, Badagara,	KRD 6485
63	Shri K. Mohamed Ali, Viking Roadways, Tellicherry.	KLO 3511
64	Shri P. P. Andro[illegible], Bus Operator, P.O. Pinarayi, Tellicherry.	KLF 2360
65	Shri P. K. Kaderkutty, Fathima Manzil, N. P. Road, Iritty, Tellicherry.	KLG 2615
66	Shri R. Padmanabhan, Thickandiyil House, Cherikal,	KLA 2431

(1)	(2)	(3)
67	Smt. V. K. Jayalakshmi, Govindapuram, Chirakkara, Tellicherry.	KLH 2451
68	Shri N. Gopalan, Gopal Motor Transport, Quilon.	KLQ 4518 KLQ 6345 KLU 7290
69	Shri Lal K., Nirmalassery, Vakkom.	KRV 4554
70	Shri A. M. Sinulabdeen Musaliar, Shajee Manzil, Kilikolloor.	KLQ 3507 KLQ 3637
71	Shri Y. Jacob, Grace House, Kareeppally, Nedumpana P. O., Kundara.	KLQ 4835 KLQ 3985 KRT 7935
72	Smt. E. Shila Beegum, Shafee Manzil, Kilikolloor.	KLQ 3139
73	Smt. K Karthiayani Amma, Kalliparambil House, Punnamparambu, Thekkumkara P.O., Trichur.	KLR 5528
74	Shri C. Ayyappan Nair, Changarangath House, Puranattukara, Trichur.	KLH 5504
75	Shri Boben Paul, Panamperil House, Thirumankulam, Quilon.	KLF 1161
76	Smt. Rehuma Beevi, Puthenkoottil House, Quilon.	KLQ 6671
77	Shri C. N. Balakrishna Pillai, Vijayavilas, A. K. Colony P. O., B. M. C. via. Cochin-21 Ernakulam.	KLE 4381

(1)	(2)	(3)
78	Shri T. G. Gopinathan Nair, Thuruthy House, Edathala P. O., Alwaye, Ernakulam.	KRE 6561
79	Shri N. G. Thankappan, Narothparambil House, Cheroor, Trichur.	KLH 5459 KLF 5584 KLR 7558 KRR 5844
80	Smt. Shylaja Balachandran, Kavingal House, Nelluvari, Wadakkancherry.	KLZ 1065 KLH 7748 KRR 4431
81	Shri K. P. Uthaman, Kannamangalathu, Mayyanadu P. O., Quilon.	KLQ 4165
82	Shri K. B. Balakrishnan, Malabar Roadways, Perumba, Payyannur.	KLN 7657
83	Shri M. M. Raghavan Nambiar, Sree Saraswathi Motor Service, Cannanore.	KLC 8027
84	Proprietor, Janatha Travels, Kannapuram, Cherukunnu P. O., Cannanore	KLN 757
85	Shri P. M. Mohanan, Thriveny Motor Service, Nemmara, Palghat.	KLO 3530 KLO 712 KLG 3686
86	Shri M. P. Baby, Mappurathumalil House, Vengola, Perumbavoor, Ernakulam	KRE 8027 KLO 4471
87	Shri P. X. Alexander, Kannamaly, Cochin-7, Ernakulam	KLA 7498

(1)	(2)	(3)
88	Shri C. K. Kunjukunjan, Raja Cottage, Cochin-18, Ernakulam	KLO 1241 KLF 9640
89	Shri N. P. V. A. Mohamed, Nellayi House, Thazhekode, Perinthalmanna, Malappuram	KLM 267
90	Smt. K. P. Jeeja, Kulanaraparambil House, Chittilappilly, Trichur	KLH 1544
91	Shri P. V. Anandan, S/o. Koran, Pulluranthi Valappil House, Adoor P. O., Kadachira, Cannanore	KLC 7696
92	Shri V. O. Kuriakose, Kariattil House, Kanimangalam, Trichur-7	KLZ 5030
93	Shri P. Narayanan, Kallutharaputhen Veedu, East Kallada, Quilon	KLA 4942
94	Shri M. Gopalan Nair, Mullappilly, Arattupuzha, Trichur	KLH 7846 KRR 101
95	Shri T. K. Abdul Rahuman, Edappally, Ernakulam	KLF 9622
96	Shri K. Krishnan, Santosh Nivas, Thottada, Cannanore	KLC 7462
97	Shri E. M. Kunhi Muhammed Haji, Luhara Transport, Mattool	KLN 181

(1)	(2)	(3)
98	Shri K. C. Joseph, Puthanpeedikayil, Chalapuram P. O., Calicut	KRE 2431
99	Shri T. K. Ramaswamy, Vadakkemadom House, Thayyur, Trichur.	KLF 3347
100	Shri M. Sajeeth, Eachamveettil. Thevally, Quilon	KLQ 4822
101	Shri Najeebu, Eachamveetil, Thevally, Quilon	KLU 9394
102	Shri P. Mohammed, Beena Manzil, Poonithura, Trippunithura, Ernakulam	KLF 295
103	Shri Kesavan Elayathu, Cherumala Illam, Edathala, Ernakulam	KLE 8501
104	Shri Mathew Stephen, Angel Motors, Kumily, Idukki	KLI 894 KLI 991 KLO 277 KLO 4083 KLI 1126 KLI 1325
105	Shri P. V. Antony, Parekkadan House, Mahakulangara, Kodakkara P. O., Trichur	KLR 5453
106	Shri P. K. Abdul Rahem Haji, Manappat House, P. O. Kodungallur, Trichur.	KLR 7980 KLR 9385
107	Shri K. C. Cherian, Vazhoor House, Kulimuttom, Kodungallur.	KLA 7623

(1)	(2)	(3)
108	Shri K. J. Paul, Bharat Motors, Amaravathi, Cochin	KLF 1733
109	Smt. C. Bhanumathy Amma, West Pulappadil House, Mamangalam, Ernakulam	KEE 4150 KEE 1053
110	Shri T. K. Abdul Rahuman, Edappally, Ernakulam	KLF 9622
111	Managing Partner, Awon Transport, South Bazar, Cannanore	KLN 430
112	Shri K. T. Vijayan, Bright Villa, Talap, Cannanore	KLN 7902
113	The Partner, National Produce Company, P. O. Chovva, Cannanore	KLC 5931
114	Managing Partner, Achars Travels, Meramon	KLY 77 KLY 3947 KLY 333 KLY 797 KLO 9347 KLU 2757 KLO 1281 KLA 4643 KLA 3425 KLQ 7664 KLU 2015
115	Shri K. K. Radhakrishnan, Koiloth Kandiyil, Vaikklassery P. O., P. O. Badagara	KLN 1308
116	Shri K. K. Mohanadas, Kundannur House, Civil Line Road, West Fort, Trichur.	KLH 9610

(1)	(2)	(3)
117	Shri M. M. Chandran, Mammanta Meethal, Near Railway Station, Badagara, Kozhikode.	KLZ 3120
118	Shri M. M. Narayanan, Mamantameethal House, Near Railway Station, Badagara, Kozhikode.	KLZ 8424
119	Proprietor, Geetha Transport, Fort Road, Cannanore.	KLN 689
120	Proprietor, Swarna Transport, Cannanore.	KLC 8278 KLC 4130
121	Smt. O. Sundari, P. O. Aroli, Cannanore.	KLH 2815
122	Shri T. K. Menon, Karuna, Panniyankara, Kallai, Calicut.	KLZ 5291
123	The Cannanore District Motor Transport Employees' Co-operative Society, Limited, Cannanore.	KLC 3959 KLC 7521 KLC 4503 KLC 7572 KLC 5185 KLC 8202 KLC 5864 KLC 8274 KLC 6296 KLC 318 KLC 7221 KLN 7659 KET 2223
124	Managing Director, R.K.V. Motors & Timbers (P) Ltd., Trivandrum.	KLV 2988 KLV 3729 KLV 4098 KLV 3468 KLV 4548 KLV 4269 KLV 4296 KLV 7329 KLT 8982

(1)	(2)	(3)
125	Shri P. A. Chandran Pillai, Krishna Vihar, Irumpanam, Ernakulam.	KEE 1733
126	Smt. C. Bhanumathy Amma, West Pulappadiyil House, Mamangalam, Ernakulam.	KEE 4150 KEB 1053
127	Shri C. K. Kunju Kunju, Raja Cottage, Cochin.	KRE 542 KRE 2741
128	Shri C. C. Jagadesh, Vijay Transport, Cannanore.	KLC 5712
129	Shri M. Vasudevan, Shyama Transport, Post Mamba, Anjarakandy, Cannanore.	KLC 8985
130	Smt. P. V. Vijayalakshmi, Panjayil House, Chirakkal, Puthiyatheru, Cannanore.	KLC 8909
131	Shri P. V. Govindan, Jai Jawan Transport, Keezhallur P. O., Cannanore.	KLC 4407
132	Shri K. K. Bharathan, Vimalalayam, Post Mundalur, Cannanore.	KLC 4717
133	Shri T. V. George, Express Transports, Trichur.	KBR 1168 KLR 8969 KLH 4964
134	Smt. P. A. Balamma, Kannanthanam, Haripad P.O.	KLA 2025
135	Shri K. J. Paul, Bharath Motors, Amaravathy, Cochin.	KLF 1738

(1)	(2)	(3)
136	Shri Ravindran Nair, Raveendrasadanam, Kamukuncheri, Piravanthoor.	KLG 3380
137	Smt. V. K. Lakshmi, Vazhappalli House, Mavelikkara.	KLA 9309
138	Shri Sayed Alavi, Cheruvannur Transports, Cheruvannur, Feroke.	KLA 4419
139	Shri C. R. Varied, S/o Kuriappan, Chittilappilly House, Chittattukara P. O., Trichur.	KLH 1636
140	Shri C. V. John, S/o Varied, Chittilappilly House, Chittattukara P. O., Trichur.	KLR 9332
141	Shri K. Rajaraj Varma, Vadakke Madom, Krishnapuram, Kayamkulam.	KLA 909
142	Shri M. Asokan, Geetha Transport, Fort Road, Cannanore.	KLC 5387
143	Shri K. Sivadasan, Rajendra Bhavan, Punnathala, Quilon.	KLQ 4462
144	Smt. P. Lakshmi Pillai Amma, Thoppil Veedu, Chavara.	KLA 2122 KLQ 1729
145	Shri P. K. Surendran, Jyothi Bhavan, Maruthoormattam, Shertallai, Alleppey.	KRR 914

By order of the Governor,

T. SANKARAN

Additional Secretary to Government

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received certain representations from the Stage Carriage Operators as shown in the annexure requesting extension of time for payment of vehicle tax for the quarters ended 30th June, 1982 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport—C) Department

NOTIFICATION

No. 18369/TC2/82/TF&P. *Dated, Trivandrum, 2nd November* 1982.

S.R.O. No 1439/82.—Whereas representation has been received by Government from the Stage Carriage Operator Shri M.V. George, Malaikudi House, Mankuttipadam, Trichur that the vehicle tax for the quarter ended on the 30th September, 1981, 31st December, 1981,31st March, 1982 and 30th September, 1982 in respect of the Stage Carriage bearing Registration Number KLH. 4588 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of this vehicle may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 30th September,1981, 31st December 1981, 31st March, 1982 and 30th September, 1982 due to financial strain ;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public,

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 30th September, 1981, 31st December 1981, 31st March, 1982, and 30th September, 1982 in respect of the said stage carriage;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 30th September, 1981, 31st December, 1981, 31st March 1982, and 30th September, 1982 in respect of the said stage carriage ordinarily kept for use in the State shall be paid on or before the 31st August, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW., dated the 29th September, 1975 published as S.R O. No. 876/75 in the Kerala Gazette Extraordinary No. 572, dated the 29th September, 1975.

By order of the Governor,
T. SANKARAN,
Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received representation from the Stage Carriage Operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarter ended 30th September 1981, 31st December 1981, 31st March, 1982, and 30th September, 1982 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries & Ports (Transport B) Department

NOTIFICATION

G. O. Rt. No. 898/82/TF & P. *Dated, Trivandrum,* 25*th October* 1982.

S. R. O. No. 1440/82.—Whereas, Shri M. K. George, M/s Johnson Travels, Kumpalampoika P. O. Pathanamthitta has built a bus body on an Ashok Leyland Cheetah chassis, the details of which are hereunder given, for the purpose of plying it as a contract carriage;

And whereas the overall length and overhang of the said vehicle exceed the limits prescribed under sub-rule (2) of rule 267 and rule 294 of the Kerala Motor Vehicles Rules, 1961, respectively;

And whereas, the Government of Kerala are satisfied that the said vehicle can conveniently be used as a contract carriage with such excess measurements in overall length and overhang;

Now, therefore, in exercise of the powers conferred by rule 368 of the Kerala Motor Vehicles Rules, 1961, the Government of Kerala hereby exempt the said vehicle from the provisions of sub-rule (2) of rule 267 and rule 294 of the said Rules.

DETAILS OF THE VEHICLE

Model—Ashok Leyland Cheetah
Engine No.—ALEE 2133
Chassis No.—ALEE 148027
Overall length—975 centimetres
Overhang—60% of the wheel base
Wheel base—533.4 centimetres (210)"

By order of the Governor,
T. SANKARAN,
Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate its main purport.)

Shri M. K. George, M/s Johnson Travels, Kumpalampoika P. O. Pathanamthitta, has requested Government to exempt the vehicle mentioned in the above notification from the provisions of sub-rule (2) of rule 267 and rule 294 of the Kerala Motor Vehicles Rules, 1961, so as to enable him to operate the vehicle as a contract carriage. Government have considered the request and have decided to grant the exemption sought for. Hence this notification.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport B) Department

NOTIFICATION

G.O.Rt. No. 899/82/TF & P. *Dated, Trivandrum*, 25*th October*, 1982.

S. R. O. No. 1441/82.—Whereas Shri T. L. Francis, Tharakan House, Erigapuram. Guruvayoor, Trichur has purchased the vehicle bearing Registration No. TMN. 8214, the details of which are hereunder given for the purpose of plying it as a contract carriage;

And whereas, the overall width, overall length and overhang of the said vehicle exceed the limits prescribed under subrule (1) of rule 265, subrule (2) of rule 267 and rule 294, respectively of the Kerala Motor Vehicles Rules, 1961;

And whereas, the Government of Kerala are satisfied that the said vehicle can conveniently be used as a contract carriage with such excess measurements in overall width, overall length and overhang;

Now, therefore, in exercise of the powers conferred by rule 368 of the Kerala Motor Vehicles Rules, 1961, the Government of Kerala hereby exempt the said vehicle from the provisions of subrule (1) of rule 265, subrule (2) of rule 267 and rule 294 of the said Rules.

DETAILS OF THE VEHICLE

Model—Ashok Leyland
Engine No.—ALI 86731
Chassis No.—ALB 104229
Year of Manufacture—1979
Type of body—Semi Saloon
Overall width—250 centimetres
Overall length—1025 centimetres
Overhang—60 % of the wheel base
Wheel base—210" (533.4 centimetres)
Tamil Nadu Registration No. TMN 8214

By order of the Governor,

T. SANKARAN,
Additional Secretary to Government.

Explanatory Note

(This is not part of the notification but is intended to indicate its main purport).

Shri T. L. Francis, Tharakan House, Erigapuram, Guruvayoor, Trichur District has requested Government to exempt the vehicle mentioned in the above notification from the provisions of subrule (1) of rule 265, sub-rule (2) of rule 267 and rule 294 of the Kerala Motor Vehicles Rules, 1961, as the overall width, overall length and overhang of the vehicle exceed the prescribed limits, so as to enable him to operate the vehicle as a contract carriage. Government have considered the request in consultation with the Transport Commissioner and have decided to grant the exemption sought for. Hence this notification.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport-B) Department

NOTIFICATION

G. O. Rt. No. 897/82/TF & P. *Dated, Trivandrum, 25th October* 1982.

S. R. O. No. 1442/82.—Whereas, the Principal, College of Engineering, Trivandrum has purchased a new Ashok Leyland Bus, the details of which are hereunder given for the purpose of plying it for transporting the staff and students of the College without hire or reward;

And whereas, the overall width the overall length and the overhang of the vehicle exceed the limits prescribed under sub-rule (1) of rule 265, sub-rule (2) of rule 267 and sub-rule (2) of rule 268 of the Kerala Motor Vehicles Rules, 1961;

And whereas, the Government of Kerala are satisfied that the said vehicle can conveniently be used as a non-transport vehicle with such excess measurements in overall width, overall length and overhang;

Now, therefore, in exercise of the powers conferred by rule 368 of the Kerala Motor Vehicles Rules, 1961, the Government of Kerala hereby exempt the said vehicle from the provisions of sub-rule (1) of rule 265, sub-rule (2) of rule 267 and sub-rule (2) of rule, 268 of the said Rules.

DETAILS OF THE VEHICLE

Model—Ashok Leyland Cheetah
Engine No.—ALEE 2316
Chassis No.—ALEE 146887
Overall length—380" (965 Centimetres)
Overall width—98" (248.9 Centimetres)
Overhang—60% of the wheel base
Wheel base—210" (533.4 Centimetres)

By order of the Governor,
T. SANKARAN,
Additional Secretary to Government

Explanatory Note

(This is not part of the notification but is intended to indicate its main purport).

The Principal, College of Engineering, Trivandrum has requested Government to exempt the vehicle mentioned in the above notification from the provisions of sub-rule (1) of rule 265 sub-rule (2) of rule 267 and sub-rule (2) of rule 268 of the Kerala Motor Vehicles Rules, 1961, as the overall width, overall length and overhang of the vehicle exceed the measurements prescribed under these rules. The vehicle is intended to be operated for transporting the staff and students of the College and not for hire or reward. Government have considered the request and have decided to grant the exemption sought for. Hence the notification.

GOVERNMENT OF KERALA

Higher Education (E) Department

NOTIFICATION

G.O. (Ms.) No. 167/82/H. Edn. *Dated, Trivandrum, 1st November* 1982.

S.R.O. No. 1443/82.—In exercise of the powers conferred by subsection (1) of section 4 of the Charitable Endowments Act, 1890 (Central Act 6 of 1890), the Government of Kerala hereby order that the property specified in column (2) of the Schedule appended herewith belonging to the Endowment mentioned in column (1) thereof, shall be vested with the Treasurer of Charitable Endowments, Kerala, and under subsections (1) and (3) of section 5 of the said Act, the Government of Kerala hereby settle the following Scheme for the administration of the said property, the same having been previously published under rule 3 of the Charitable Endowments (Kerala) Rules, 1966, and appoint the date of publication of this notification to be the date on which the said Scheme shall come into operation, namely:—

SCHEME

1. This Endowment shall be called "Retired Headmistress Miss Siromani Isaac Endowment Fund".

2. The corpus of the Endowment may consist of Rs. 1,500 (Rupees One thousand and five hundred only) and shall be vested with the Treasurer of Charitable Endowments, Kerala.

3. The corpus of the Endowment shall be invested in any long term securities of the Government of India or the Government of Kerala or in any of the securities approved by the Government of Kerala.

4. The Headmaster/Headmistress Government High School for Girls Barton Hill, Trivandrum shall be the Administrator of the fund.

5. The annual interest accruing on the Fund shall be utilised during the succeeding year for awarding a prize in cash on the occasion of school day celebration or on any other occasion in the academic year as decided by the Administrator.

6. The prize shall be awarded to a student of the Government High School, for Girls, Barton Hill Trivandrum who has passed the S.S.L.C. Examination during the previous year in the first attempt by securing the highest number of marks.

7. If, in any year, two or more pupils secure the same number of highest marks, then the amount shall be divided equally among them and the prizes awarded accordingly.

8. Requisition for payment of annual interest shall be sent by the Administrator to the Treasurer of Charitable Endowments at any time not later than two months prior to the date fixed for the award of the prize and the Treasurer of Charitable Endowments shall, thereupon arrange to place the annual interest at the disposal of the Administrator.

9. If, in any year, the interest is not utilised as provided in clause 5 or if the prize is not awarded owing to the non-availability of a suitable candidate or for any other reason, or any balance is left after awarding the prize such amount shall be added on to the corpus of the fund by the Treasurer of Charitable Endowments, unless its payment is allowed by the Treasurer in exceptional case on the specific recommendation of the controlling authority specified in clause 10.

10. If any doubt or dispute arises regarding the meaning or interpretation of the Scheme, it shall be referred to the Director of Public Instruction whose decision thereon shall be final.

SCHEDULE

Name of Endowment	*Details of Property*
(1)	(2)
"Retired Headmistress Miss Siromani Isaac Endowment Fund".	Rs. 1,500 (Rupees One thousand and five hundred only)

By order of the Governor,

A. RAMASWAMI PILLAI,
Joint Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport.)

Smt. Siromani Isac, T. C. 12/678 Barton Hill, Trivandrum wishes to institute an endowment in the Government High School for Girls, Barton Hill, Trivandrum. A preliminary notification regarding this has been published in the Gazette dated 15-6-1982. Now Government have accepted the endowment for institution and hence this notification.

GOVERNMENT OF KERALA

Transport, Fisheries And Ports (Transport C) Department

NOTIFICATION

No. 14349/TC2/82/TF&P. *Dated, Trivandrum, 20th October* 1982.

S.R.O. No. 1444/82.—Whereas representations have been received by Government from the Stage Carriage Operators specified in the annexure to this notification that the vehicle tax for the quarters ended on the 31st March, 1982 and 30th June, 1982 in respect of the Stage Carriages particulars of which are specified in the said annexure could not be remitted within the prescribed period due to financial strain and that extension of time for payment of Vehicle tax in respect of these vehicles may, therefore, be granted ;

And whereas, the Government are convinced that circumstances existed that the operators of the said stage carriages could not remit the vehicle tax in respect of the said stage carriages ordinarily kept for use in the State for the quarters ended on the 31st March, 1982 and 30th June, 1982 due to financial strain ;

And whereas, the Government are convinced that non-operation of the said stage carriages due to non-payment of tax would have caused great inconvenience to the travelling public ;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarters ended on the 31st March, 1982 and 30th June, 1982 in respect of the said stage carriages ;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarters ended on the 31st March, 1982 and 30th June, 1982 in respect of the said stage carriages ordinarily kept for use in the State shall be paid on or before the 31st July, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S.R.O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated 29th September 1975.

ANNEXURE

Sl. No.	Name of Stage Carriage Operator	Registration No. of the Stage Carriage
(1)	(2)	(3)
1.	Kumari Jalaja & Company, Chullikkal, Cochin-5, Ernakulam.	KRE. 4984, KRF.9430
2.	Sri Sunny Paulose, Vettikkaparambil, Edayar P.O., Koothattukulam, Ernakulam.	KRF. 8330
3.	Sri Francis, D. Almeda, L P. Cottage, Pallipuram.	KLF. 645
4.	Smt. K. Sarojam, Omana Motor Service, Edapally, Ernakulam.	KLF. 37
5.	Sri K.C. David, Kodi Veedu, Chirattapalam, Cochin, Ernakulam.	KRE. 3399
6.	Sri M.A. Noorudeen, Manapurathu, Nayarambalam, Cochin.	KRF. 6959
7.	Sri Isaack Varkery, Puthuval House, Onakur, Ernakulam.	KEE. 2433
8.	Sri K. Sudhakaran, Kizhakoot House, Panayad.	KLF. 1688
9.	Sri M. R. Thilakan, Mannanthidayil House, Elthuruth.	KLR. 9464
10.	Sri K. Peter, Mourllious Motors, Padappakkara, Kundara.	KLF. 1161
11.	Smt. M. Rahuma Beevi, Puthenkoottil Veedu, Kavanad P.O., Quilon.	KLQ. 6671

By order of the Governor,

T. SANKARAN,

Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification).

Government have received certain representations from the Stage Carriage Operators as shown in the annexure requesting extension of time for payment of vehicle tax for the quarters ended 31st March, 1982 and 30th June, 1982 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Labour (B) Department

NOTIFICATION

No. G. O. (Rt.) 1192/82/LBR. *Dated, Trivandrum, 2nd November* 1982.

S. R. O. No.1445/82.—Under subsection (1) of section 7 of the Kerala Toddy Workers' Welfare Fund Act, 1969 (22 of 1969) read with sub paragraph (2) of paragraph 25 of the Kerala Toddy Workers Welfare Fund Scheme, 1969, the Government of Kerala, hereby appoint Shri T. Kuttappan as Welfare Fund Inspector, Ernakulam, to assist the Chief Welfare Fund Inspector in the discharge of his duties and make the following consequential amendment to the Notification issued under G. O. (Rt) No. 1055/81/LBR dated the 18th August, 1981 and published as S. R. O. No. 1131/81 in Part I of the Kerala Gazette No. 40 dated the 6th October, 1981, namely:—

AMENDMENT

In the Schedule to the said Notification, for Serial No. 9 in Column (1) and the entries relating thereto in Columns (2) and (3), the following shall be substituted, namely:—

(1)	(2)	(3)
"T. Kuttappan	Welfare Fund Inspector	Ernakulam District excluding the taluks of Muvattupuzha and Kothamangalam in Ernakulam District".

By order of the Governor,
V. KRISHNAMURTHY,
Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport).

Shri M. R. Kumaran, Welfare Fund Inspector, Ernakulam has been reverted to his Parent Department (Labour) consequent on his promotion as District Labour Officer and in his place Shri T. Kuttappan has been posted as Welfare Fund Inspector, Ernakulam. The names and local limits of the Welfare Fund Inspectors appointed in the Kerala Labour Welfare Fund Board are to be notified from time to time under section 7 (1) of the Kerala Toddy Workers Welfare Fund Act, 1969, (Act 22 of 1969). This notification is intended to achieve the above purpose.

GOVERNMENT OF KERALA

Health (G) Department

NOTIFICATION

No. 17441/G3/82/HD. *Dated, Trivandrum, 25th October* 1982.

S. R. O. No.1446/82.—Under clause (a) of subsection (2) of section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974), the Government of Kerala hereby nominate Sri R. Sundaram Iyer, Superintending Engineer, Public Health Engineering Department as Chairman, Kerala State Board for Prevention and Control of Water Pollution, constituted under G. O. (MS) No. 205/74/HD. dated the 12th September, 1974, published at page 391 in Part I of the Kerala Gazette dated the 24th September, 1974, with effect from the 1st April, 1982 upto the 31st December, 1983, the date of his superannuation vice Sri K. K. Kamath, Chairman, retired.

By order of the Governor,
N. Krishnan Nair,
Special Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

Shri K. K. Kamath, Superintending Engineer, Public Health Engineering Department who was on deputation as Chairman of the Kerala State Board for Prevention and Control of Water Pollution has retired on Superannuation on the A. N. of 31-3-1982. Consequently Sri R. Sundaram Iyer, Superintending Engineer, Public Health Engineering Department was deputed for appointment as the Chairman of the Board with effect from 1-4-1982 upto the date of his Superannuation (31-12-1982) vide G. O. (Rt) No. 816/82/HD dated 31-3-1982. This notification is to give statutory validity to the above appointment.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 19185/TC2/82/TF&P. *Dated, Trivandrum, 20th October* 1982.

S. R. O. No. 1447/82.—Whereas representation has been received by Government from the Stage Carriage Operator Shri V. O. Thomas, Vazhappilly House, Palliport P. O., Ernakulam that the vehicle tax for the quarter ended on the 31st December, 1981 in respect of the stage carriage bearing Registration No. K. L. M. 506 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of this vehicle may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriage could not remit the vehicle tax in respect of the said stage carriage ordinarily kept for use in the State for the quarter ended on the 31st December, 1981 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriage due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 31st December, 1981 in respect of the said stage carriage ;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 31st December, 1981 in respect of the said stage carriage ordinarily kept for use in the State shall be paid on or before the 30th August 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the Notification (5) No. 33942/TC2/75-5/PW., dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,

T. SANKARAN,

Additional Secretary to Government.

G. 1525 [P. T. O.]

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification).

Government have received representation from the Stage Carriage Operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarter ended 31st December, 1981 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Abstract

KERALA BUILDINGS (LEASE AND RENT CONTROL) ACT, 1965—ENFORCEMENT IN THIKKODI PANCHAYAT—ORDERS ISSUED

PUBLIC WORKS (E) DEPARTMENT

G. O. (MS) 167/82/PW. *Dated, Trivandrum, 19th November* 1982.

NOTIFICATIONS

(i)

S. R. O. No. 1448/82.—Whereas the Thikkodi Panchayat has in its resolution No. 112/80 dated the 12th February, 1980 requested that the provisions of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965) shall be applied to that Panchayat area ;

Now, therefore, in exercise of the powers conferred by subsection (3) of section 1 of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965) the Government of Kerala hereby apply all the provisions of the said Act to the Thikkodi Panchayat area in the Kozhikode District with effect from the date of publication of this notification in the Gazette.

(ii)

S. R. O. No. 1449/82.—In exercise of the powers conferred by sub-section (1) of section 3 of the Kerala Buildings (Lease and Rent Control Act, 1965 (2 of 1965), the Government of Kerala hereby appoint the Munsiff, having jurisdiction over the Thikkodi Panchayat area in the Kozhikode District, to be the Rent Control Court for the said area, with effect from the date of publication of this notification in the Gazette.

(iii)

S R. O. No. 1450/82.—In exercise of the powers conferred by sub ection (2) of section 3 of the Kerala Buildings (Lease and Rent Control Act, 1965 (2 of 1965), the Government of Kerala hereby appoint the Tahsildar, having jurisdiction over the Thikkodi Panchayat area in the Kozhikode District, to be the Accommodation Controller for the said area, with effect from the date of publication of this notification in the Gazette.

G, 1633

(iv)

S R.O.No. 1451/82.—In exercise of the powers conferred by clause (a) of subsection (1) of section 18 of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965), the Government of Kerala hereby confer on the Subordinate Judge or the Principal Subordinate Judge, as the case may be, having jurisdiction over the Thikkodi Panchayat area in the Kozhikode District, the powers of the Appellate Authority for the purposes of the said Act in the said area with effect from the date of publication of this notification in the Gazette.

By order of the Governor,

C. K. K. PANICKER,

Special Secretary to Government.

Explanatory Note

(This does not form part of the above notifications, but is intended to indicate their general purport).

The Thikkodi Panchayat in the Kozhikode District has in its resolution No. 112/80 dated the 12th February 1980 requested Government to extend the provisions of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965) to its area. Under section 1 (3) of the said Act, Government can extend the provisions of the Act to any area of the State by a notification in the Gazette, provided that such notification shall be supported by a resolution passed by the local authority of the area affected by the notification. The above notifications are to achieve the above purpose and issued on the request of the Panchayat concerned.

GOVERNMENT OF KERALA

Home (SS.B) Department

NOTIFICATION

G O. (Ms) No. 135/82/Home. *Dated, Trivandrum, 1st November* 1982.

S. R. O. No. 1454/82.—Whereas the place specified in the schedule below is of vital importance to the country;

And whereas information with respect thereto or the destruction or obstruction thereof or interference therewith would be useful to an enemy;

Now, therefore, in exercise of the powers conferred by sub-clause (d) of clause (8) of section 2 of the Indian Official Secrets Act, 1923 (Central Act 19 of 1923), read with the Notification S.O. No. 1285 dated the 4th May, 1963 of the Ministry of Home Affairs, Government of India, the Government of Kerala hereby declare the place specified in the schedule below to be "Prohibited place" for the purpose of the said Act, and direct that a copy of this Notification in English and Malayalam versions be affixed to the said place.

SCHEDULE

Name of place	—	66 KV Sub Station, Angamaly.
Location	—	Angamaly South.
Survey No.	—	589/161 and 589/162.
Area	—	1.21 Hectares.
Name of Village	—	Chengamanad.
Name of Taluk	—	Alwaye.
Name of District	—	Ernakulam.
Name of Police Station	—	Chengamanad.
Boundaries or other description of the area—		North— Private residential place.
		East — NH 47.
		South— Panchayat Road.
		West — Private residential plots.

Explanatory Note

(This does not form part of the notification but is intended to give its general purport.)

It is considered necessary that the places mentioned in the schedule should be declared as prohibited place under the Indian Official Secrets Act, 1923 since the place is of national importance. The above notification is intended to achieve this object.

G. 1637

എസ്. ആർ. ഒ. നമ്പർ 1454/82.—താഴെ പട്ടികയിൽ പറഞ്ഞിരിക്കുന്ന സ്ഥലം രാജ്യത്തിന് മർമ്മപ്രധാനമായതിനാലും; അതു സംബന്ധിച്ച് വിവരമോ; അതു നശിപ്പിക്കുന്നതോ അതിനു പ്രതിബന്ധം സൃഷ്ടിക്കുന്നതോ, അതിൽ ഇടപെടുന്നതോ, ഒരു ശത്രുവിന് ഉപയോഗപ്രദമായിരിക്കുമെന്നതിനാലും;

ഇപ്പോഴം, അതിനാൽ ഭാരത സർക്കാർ ആഭ്യന്തരമന്ത്രി കാര്യാലയത്തിന്റെ 1963 മേയ് 4-ാം തീയതിയിലെ എസ്. ഒ. 1285-ാം നമ്പർ വിജ്ഞാപനത്തോടു ചേർത്ത് വായിച്ചപ്രകാരമുള്ള 1923-ലെ ഇൻഡ്യൻ ഔദ്യോഗിക രഹസ്യ ആക്റ്റ് (1923-ലെ 19-ാം കേന്ദ്ര ആക്റ്റ്) 2-ാം വകുപ്പ് (8)-ാം ഖണ്ഡം (ഡി) എന്ന ഉപഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് കേരള സർക്കാർ പ്രസ്തുത ആക്റ്റിന്റെ ആവശ്യത്തിലേക്കായി താഴെ പട്ടികയിൽ പറഞ്ഞിരിക്കുന്ന സ്ഥലം "നിരോധിത പ്രദേശം" ആയി ഇതിനാൽ പ്രഖ്യാപിക്കുകയും പ്രസ്തുത വിജ്ഞാപനത്തിന്റെ ഇംഗ്ലീഷിലും മലയാളത്തിലുമുള്ള ഒരു പകർപ്പ് പ്രസ്തുത സ്ഥലത്ത് പതിക്കുന്നതിന് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

പട്ടിക

സ്ഥലത്തിന്റെ പേര്—66 കെ. വി. സബ് സ്റ്റേഷൻ അങ്കമാലി
സ്ഥാനം—അങ്കമാലി സൗത്ത്
സർവ്വേ നമ്പർ—589/161-ം 589/162-ം
വിസ്തീർണ്ണം—1.21 ഹെക്ടർ
വില്ലേജിന്റെ പേര്—ചെങ്ങമനാട്
താലൂക്കിന്റെ പേര്—ആലുവ
ജില്ലയുടെ പേര്—എറണാകുളം
പോലീസ് സ്റ്റേഷന്റെ പേര്—ചെങ്ങമനാട്

സ്ഥലത്തിന്റെ അതിരോ മററു വിവരങ്ങളോ

വടക്ക്—സ്വകാര്യ വാസ സ്ഥലം
തെക്ക്—പഞ്ചായത്തു റോഡ്
കിഴക്ക്—നാഷണൽ ഹൈവെ (47)
പടിഞ്ഞാറ്—സ്വകാര്യ വാസ സ്ഥലം

വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല, എന്നാൽ അതിന്റെ പൊതു ഉദ്ദേശം വെളിപ്പെടുത്തുന്നതിനു വേണ്ടിയുള്ളതാണ്.)

പട്ടികയിൽ പറഞ്ഞിരിക്കുന്ന സ്ഥലം ദേശീയ പ്രാധാന്യമുള്ളതാകയാൽ ആ സ്ഥലത്തെ 1923-ലെ ഇൻഡ്യൻ ഔദ്യോഗിക രഹസ്യ ആക്റ്റിൻ കീഴിൽ നിരോധിത പ്രദേശമായി പ്രഖ്യാപിക്കേണ്ടതാവശ്യമാണെന്നു കരുതുന്നു. മുകളിൽ പറഞ്ഞിരിക്കുന്ന വിജ്ഞാപനം ഈ ഉദ്ദേശം സാധിക്കുന്നതിനു വേണ്ടിയുള്ളതാണ്.

By order of the Governor,

K. V. VIDYADHARAN,

Special Secretary to Government.

Government of Kerala
1982

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVII] Trivandrum, Tuesday, 30th November 1982 / 9th Agrabayana 1904 [No. 892

GOVERNMENT OF KERALA

Labour (E) Department

NOTIFICATION

G. O. Rt. No. 1291/82/LBR. *Dated, Trivandrum, 27th November,* 1982.

S. R. O. No. 1467/82.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 5 of the Minimum Wages Act, 1948 (Central Act 11 of 1948), read with rule 3 of the Kerala Minimum Wages Rules, 1958, the Government of Kerala hereby extend the term of the Minimum Wages Committee appointed under Notification No. G.O. Rt. 1348/81/LBR dated the 30th October, 1981, published as S.R.O. No. 1253/81 in the Kerala Gazette Extraordinary No. 846 dated the 31st October, 1981 to hold inquiries and advice Government in the matter of revision of minimum rates of wages payable to the employees employed in Agricultural Operations in the State, for a further period of six months from the 30th October, 1982.

By order of the Governor,

V. Krishnamurthy,
Secretary.

33/1373/MC

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

The term of the Minimum Wages Committee for Agricultural Operations constituted vide G.O. Rt. 1348/81/LBR dated 30-10-1981 expired on 29-10-82. Government have now decided to extend further the term of the Committee for a period of six months from 29-10-1982 to enable the Committee to complete the work.

This notification is intended to achieve the above object.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1982.

Government of Kerala
1982

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVII] Trivandrum, Tuesday, 30th November 1982 / 9th Agrahayana 1904 [No. 893

GOVERNMENT OF KERALA

Home (C) Department

NOTIFICATION

G. O. Rt. 3162/82/Home. *Dated, Trivandrum, 27th November,* 1982.

S. R. O. No. 1468/82.—In exercise of the powers conferred by the proviso to sub-section (1) of section 11 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) and in supersession of the notification issued under G.O. Rt. 2845/82/Home dated the 1st November, 1982, and published as S.R.O. No. 1309/82 in the Kerala Gazette Extraordinary No. 785 dated the 1st November, 1982, the Government of Kerala, after consultation with the High Court of Kerala, hereby establish with effect from the 1st day of December, 1982, and with jurisdiction over the whole State of Kerala, a special court of Judicial Magistrate of the First Class with headquarters at Cochin to try the following cases:—

(1) cases of forgery of and other offences relating to, mark lists in respect of the examinations conducted by the Kerala and Calicut Universities;

(2) cases of other offences committed in relation to the examinations conducted by the said Universities and the results of such examinations;

alleged to have been committed by any person.

By order of the Governor,
K. V. Vidyadharan,
Special Secretary.

33/4374/MC

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport).

The special court for the trial of cases relating to forgery of mark lists notified as per G.O. Rt. 2845/82/Home dated 1-11-1982 could not start functioning on that date. It is proposed to fix 1-12-1982 as the date from which the Court would start functioning. It is also considered necessary to make the class of cases to be tried by the Court, more specific.

The notification is intended to achieve the above objects.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1982.

©
Government of Kerala
1982

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVII] Trivandrum, Tuesday, 30th November 1982 / 9th Agrahayana 1904 [No. 894

GOVERNMENT OF KERALA

Labour (E) Department

NOTIFICATION

No. 25171/E2/81/LBR. *Dated, Trivandrum, 27th November,* 1982.

The following draft of certain rules which the Government of Kerala proposes to make in exercise of the powers conferred by section 35 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (Central Act 30 of 1979), is hereby published for the general information as required by sub-section (1) of the said section. Notice is hereby given that the said draft will be taken up for consideration on or after the expiry of forty-five days from the date of publication of this Notification and that any objection or suggestion which may be received with respect to the said draft before the expiry of the period specified above will be considered by the Government. Objections and suggestions, if any, shall be addressed to the Secretary to Government, Labour (E) Department, Government Secretariat, Trivandrum.

By order of the Governor,

V. Krishnamurthy,

Secretary.

33/4375/MC

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport.)

There have been workmen in almost all States who have migrated from other States. Government of India, have, therefore, enacted a legislation, The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 to safeguard the interests of inter-State migrant workmen. Government of India also framed the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Central Rules, 1980 under the Act.

It has become necessary for the State Governments to frame Rules under the above Central Act to suit the local needs and conditions. Government of India has therefore advised the State Government accordingly.

As a prelude to the necessity of framing the State Rules, the Government have made an assessment of the number, areas of concentration and deployment, the employments in which they are employed, etc., of inter-State migrant workmen in the State. It is revealed that there is an appreciable number of inter-State migrant workmen in the State, mainly from Tamil Nadu and Karnataka and employed in plantations, construction work, textiles, shops and establishments, minor engineering and timber industry, the majority being in plantations. Government have accordingly felt the need of regulating their employments and their conditions of service in order to safeguard their interests.

Government, therefore, have decided to publish the draft Rules. The Kerala Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1982, for general information, inviting objections and suggestions from all those concerned, within a period of 45 days from the date of the notification.

The Notification is intended to achieve the above object.

DRAFT RULES

CHAPTER I

PRELIMINARY

1. *Short title and commencement.*—(1) These Rules may be called the Kerala Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Rules, 1982.

(2) They shall come into force on such date as the Government may by notification in the Gazette appoint.

2. *Definitions.*—In these Rules, unless the subject or context otherwise requires:—

(a) "Act" means the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (Central Act 30 of 1979);

(b) "Appellate Officer" means an Appellate Officer nominated by the Government under section 11;

(c) "Form" means a form appended to these rules;

(d) "Inspector" means an Inspector appointed by the Government under section 20;

(e) "Licensing Officer" means the licensing officer appointed by the Government under section 7;

(f) "Migrant workman" means an inter-State migrant workman as defined in clause (e) of section 2;

(g) "Registering Officer" means the registering officer appointed by the Government under section 3;

(h) "Section" means a section of the Act;

(i) "Specified authority" means the authority specified by the Government for the purposes of sections 12 and 16; and

(j) All other words and expressions used in these Rules, but not defined therein shall have the meanings respectively assigned to them in the Act.

Chapter II

3. *Manner of making application for registration of Establishments.*—(1) The application for registration of an establishment shall be made in triplicate, in Form I to the registering officer of the area in which the establishment sought to be registered is located.

(2) The application shall be accompanied by chalan receipts for the payment of fees at such rates as specified in rule 12.

(3) The application shall be either personally delivered to the registering officer or sent to him by registered post.

(4) On receipt of the application, the registering officer shall, after noting thereon the date of receipt by him of the application, give an acknowledgement to the applicant.

4. *Issue of Certificate of registration.*—(1) Where the registering officer, registers the establishment, he shall issue to the Principal employer a certificate of registration in Form II.

(2) The registering officer shall maintain a register in Form III showing the particulars of the establishments in relation to which certificates of registration are issued by him.

(3) If, in relation to an establishment, there is any change in the particulars specified in the certificate of registration, the principal employer of the establishment shall intimate to the registering officer, within thirty days from the date when such change takes place, the particulars of and the reasons for, such change along with the Original Certificate of Registration.

5. *Circumstances in which application for Registration may be rejected.*—(1) If any application for registration is not complete in all respects, the registering officer shall require the principal employer to amend the application so as to make it complete it in all respects.

(2) If the principal employer on being required by the registering officer to amend his application for registration, omits or fails to do so, the registering officer shall reject the application for registration.

(3) The application for registration shall also be rejected if it is found by the registering officer after due enquiry that the application is not bonafide.

6. *Amendment of certificate of registration.*—(1) On receipt of the intimation under sub rule (3), of rule 4, the registering officer is satisfied that the amount payable is higher than the amount, which has been paid by the Principal employer as fees for the registration of the establishment, he shall require such principal employer to deposit a sum which, together with the amount

already paid by such principal employer, would be equal to such higher amount of fees payable for registration of the establishment and to produce chalan receipt showing such deposit.

(2) Where, on receipt of the intimation referred to in sub-rule (3) of rule 4, the registering officer is satisfied that there has occurred a change in the particulars of the establishment as entered in the Certificate of Registration in Form II and the Register in Form III, he shall amend the said registers and record therein the change thus occurred:

Provided that no such amendment shall effect anything done or any action taken or any right, obligation or liability required or incurred before such amendment:

Provided further that the registering officer shall not carry out any amendment in the certificate of registration in Form II and the register in Form III unless the appropriate fees have been deposited by the Principal employer.

7. *Application for a licence.*—(1) Every application by a contractor for the grant of a licence for recruiting a person under clause (a) of sub-section (1) of section 8 shall be made in triplicate in Form IV to the licensing officer having jurisdiction in relation to the area wherein recruitment is made.

(2) Every application by a contractor for licence for employing a migrant workman under clause (b) of sub-section (1) of section 8 shall be made, in Form V to the licensing officer having jurisdiction in relation to the area wherein the establishment is situated.

(3) (i) Every application for grant of a licence under sub-rule (1) or sub-rule (2), shall be accompanied by a certificate of the principal employer in Form VI to the effect that he undertakes to be bound by all the provisions of the Act and the rules made thereunder so far as they are applicable to him in respect of the recruitment or employment of the migrant workman, in respect of which the contractor is making the application.

(ii) Every such application shall be either personally delivered to the licensing officer concerned or sent to him by registered post.

(4) On receipt of the application referred to in sub-rule (1) or sub-rule (2), the licensing officer shall, after noting therein the date of receipt of the application, grant an acknowledgement to the applicant.

(5) Every application referred to in sub-rule (1) shall be accompanied by chalan receipts obtained as required by rule 20.

8. *Matters to be taken into account in granting or refusing a licence.*—In granting or refusing to grant a licence, the licensing officer shall take the following matters into account, namely:—

(a) whether the applicant—

(i) is a minor; or

(ii) is of unsound mind and stands so declared by a competent court; or

(iii) is an undischarged insolvent; or

(iv) has been convicted at any time during the period of five years immediately preceding the date of application of an offence which, in the opinion of the Government, involves moral turpitude;

(b) whether any order has been made in respect of the applicant under sub-section (1) of section 10, and, if so, whether a period of three years has elapsed from the date of that order;

(c) whether the fees for the application has been deposited at the rates specified in rule 12; and

(d) whether security wherever necessary, has been deposited by the applicant at the rates specified in sub-rule (1) of rule 10.

9. *Refusal to issue licence.*—(1) On receipt of the application from the contractor, and as soon as possible thereafter, the licensing officer shall investigate or cause investigation to be made to satisfy himself about the correctness of the facts and particulars furnished in such application and the eligibility of the applicant for a licence.

(2) (i) Where the licensing officer is of the opinion that the licence should not be issued, he shall, after affording reasonable opportunity to the applicant to be heard, make an order rejecting the application.

(ii) The order shall record the reasons for the refusal and shall be communicated to the applicant.

10. *Security.*—(1) Where the licensing officer is satisfied, in accordance with the procedure laid down in the proviso to sub-section (2) of section 8, that any person who has applied for or who has been issued a licence, should furnish security for the due performance of the conditions of the licence, he shall prepare an estimate of the amount needed to provide for recruitment or employment of migrant workmen on the basis of the factors specified in sub-section (3) of the said section and after considering the solvency of such person, determine the amount of the security to be furnished by such person, which shall not exceed forty percent of the amount estimated by him.

(2) Where the applicant for the licence was holding a licence in regard to another work and that licence had expired, the licensing officer, if he is of the view that any amount out of the security, if any, deposited in respect of that licence is to be refunded to the applicant under rule 17, he may on an application made for that purpose in Form VII by the applicant, adjust the amount so to be refunded towards the security, if any, required to be deposited in respect of the application for the new licence and the applicant need deposit, is such a case, only the balance amount, if any, after making such adjustment.

11. *Forms and terms and conditions of licence.*—(1) Every licence under sub-section (1) of section 8 shall be issued in Form VIII.

(2) Every licence issued under sub-rule (1) or renewed under rule 14 shall be subject to the following conditions, namely:—

(a) licence shall be non-transferable;

(b) the terms and conditions of the agreement or arrangement under which the migrant workmen is recruited or employed;

(c) the number of migrant workmen recruited or employed;

(d) the number of workmen recruited or employed as migrant workman in the establishment shall not, on any day, exceed the maximum number specified in condition (c);

(e) the rates of wages payable to the migrant workmen by the contractor shall not be less than the rates prescribed under the Minimum Wages Act, 1948 (Central Act 11 of 1948), for such employment and where the rates have been fixed by agreement, settlement or award, not less than the rates so fixed;

(f) save as provided in these rules the fees paid for the issue, or as the case may be, for renewal of licence shall be non-refundable;

(g) (i) in cases where the migrant workmen recruited or employed by the contractor perform the same or similar kind of work as the workmen directly employed by the principal employer of the establishment, the wage rates, holidays, hours of work and other conditions of service of the migrant workmen of the contractor shall be the same as applicable to the workmen directly employed by the principal employer of the establishment of the same or similar kind of work:

Provided that in the case of any disagreement with regard to the type of work, the same shall be decided by the Officer authorised by the Government of Kerala by Notification in the official gazette, whose decision thereon shall be final;

(ii) in other cases, the wage rates, holidays, hours of work and conditions of service of the migrant workmen recruited or employed by the contractor shall be such as prescribed in these rules;

(h) every migrant workman shall be entitled to allowances, benefits, facilities, etc., as specified in the Act and the rules;

(i) no female migrant workman shall be employed by any contractor before 6 a.m. or after 7. p.m.:

Provided that this clause shall not apply to the employment of female migrant workman in Pit head baths, Creches, Canteens and Midwives and Nurses in hospitals and dispensaries;

(j) the contractor shall notify any change in the number of migrant workmen or the conditions of work to the licensing officer;

(k) the contractor shall comply with all the provisions of the Act and Rules;

(l) a copy of the licence shall be displayed prominently at the premises where the migrant workmen are employed;

(m) the period for which the licence shall be valid.

12. *Fees.*—(1) The fees to be paid for the grant of Certificate of registration of an establishment under section 4 shall be as specified below, namely:—

If the number of migrant workmen proposed to be employed in the establishment on any day—

		Rs.
(a)	is 5 but does not exceed 20	30.00
(b)	exceeds 20 but does not exceed 50	75.00
(c)	exceeds 50 but does not exceed 100	150.00
(d)	exceeds 100 but does not exceed 200	300.00
(e)	exceeds 200 but does not exceed 400	600.00
(f)	exceeds 400	750.00

(2) The fees to be paid for the grant of licence under section 7 shall be as specified below namely:—

If the number of migrant workmen recruited or employed by the Contractor on any day—

		Rs.
(a)	is 5 but does not exceed 20	10.00
(b)	exceeds 20 but does not exceed 50	20.00
(c)	exceeds 50 but does not exceed 100	40.00
(d)	exceeds 100 but does not exceed 200	80.00
(e)	exceeds 200 but dos not exceed 400	160.00
(f)	exceeds 400	200.00

13. *Amendment of the licence.*—(1) A licence issued under rule 11 or renewed under rule 14 may, for good and sufficient reasons, be amended by the licensing officer.

(2) The contractor who desires to have the licence amended shall submit to the licensing officer an application stating the nature of the amendment and reasons therefor.

(3) (i) If the licensing officer allows the application, he shall require the applicant to furnish a chalan receipt for the amount, if any, by which the fees that would have been payable, if the licence had been originally issued in the form exceeds the fee originally paid for the licence plus Rs. 5 as amendment fee.

(ii) On the applicant furnishing the requisite receipt, the licence shall be amended according to the orders of the licensing officer.

(4) Where the application for amendment is refused, the licensing officer shall record the reasons for such refusal and communicate the same to the applicant.

14. *Renewal of licence.*—(1) Every contractor may apply the licensing officer for renewal of the licence.

(2) The application shall be in Form IX in triplicate and shall be made not less than thirty days before the date on which the licence expires, and if the application is so made the licence shall be deemed to have been renewed until such date when the renewed licence is issued.

(3) The fees chargeable for renewal of the licence shall be the same as for the grant thereof:

Provided that if the application for renewal is not received within the time specified in sub-rule (2) a fee of twenty-five per cent in excess of the fee ordinarily payable for the licence shall be payable for such renewal:

Provided further that in case where the licensing officer is satisfied that the delay in submission of the application is due to unavoidable circumstances beyond the control of the contractor, he may reduce or remit as he deems fit, the payment of such excess fee.

15. *Period of Renewal of the licence.*—Every licence renewed under rule 14 shall remain in force for a further period of twelve months from the date of the order of renewal.

16. *Issue of duplicate certificate of registration or licence.*—Where a certificate of registration or licence granted or renewed under the preceding rules has been lost, defaced or accidentally, destroyed, a duplicate thereof may be granted on payment of a fee of Rs. 10 (Rupees ten only).

17. *Refund of security.*—(1) (i) On expiry of the period of licence, the contractor may, if he does not intend to have his licence renewed or get the security amount adjusted in respect of his fresh application for licence in terms of sub-rule (2) of rule 10, make an application to the licensing officer for the refund of the security, if any, deposited by him under rule 10.

(ii) If the licensing officer is satisfied that there is no breach of the conditions of licence or there is no order under section 10 for the forfeiture of security or any portion thereof, he shall direct the refund of the security to the applicant.

(2) If there is any order directing the forfeiture of the whole or any part of the security, the amount to be forfeited shall be deducted from the security deposit, and balance, if any, shall be refunded to the applicant.

(3) The application for refund shall as far as possible, be disposed of within sixty days of the date of the application.

18. *Appeals and procedure.*—(1) (i) Every appeal under section 11 shall be preferred in the form of a memorandum signed by the appellant or his authorised agent and presented to the appellate officer in person or sent to him by registered post.

(ii) The memorandum shall be accompanied by a certified copy of the order and a Chalan receipt for Rs. 25.

(2) The memorandum shall set forth precisely and under distinct heads the grounds of appeal to the order appealed from.

(3) Where the memorandum of appeal does not comply with the provisions of sub-rule (2) it may be rejected or returned to the appellant for the purpose of being amended within a time to be fixed by the appellate officer.

(4) Where the appellate officer rejects the memorandum of appeal under sub-rule (3), he shall record the reasons for such rejection and communicate the same to the appellant.

(5) Where the memorandum of appeal is in order, the appellate officer shall admit the appeal, endorse thereon the date of presentation and shall register the appeal in the register of appeals kept for the purpose.

(6) (i) When the appeal has been admitted, the appellate officer shall send a notice to the registering officer or the licensing officer as the case may be, from whose order the appeal has been preferred. The registering officer or as the case may be, the licensing officer shall thereupon send the record of the case to the appellate officer.

(ii) On receipt of the record the appellate officer shall send a notice to the appellant to appear before him on such date and time as may be specified in the notice for the hearing of the appeal.

(7) If on the date fixed for the hearing, the appellant does not appear, the appellate officer may dismiss the appeal for default of appearance of the appellant.

(8) (i) Where an appeal has been dismissed under sub-rule (7), the appellant may apply to the appellate officer for readmission of the appeal, and where it is proved that he was prevented by sufficient cause from appearing when appeal was called on for hearing the appellate officer shall restore the appeal on its original number.

(ii) An application under clause (i) shall, unless the appellate officer extend the time for sufficient reason, be made within thirty days of the date of dismissal.

(9) (i) If the appellant is present when the appeal is called on for hearing, the appellate officer shall proceed to hear the appellant or his authorised agent and any other person summoned by him for the purpose, and pronounce judgement on the appeal either confirming, reversing or modifying the order appealed from.

(ii) The judgement of the appellate officer shall state the points for determination, decisions thereon and the reasons for the decisions.

(iii) The judgement shall be communicated to the appellant and a copy thereof shall be sent to the registering officer or the licensing officer, as the case may be, from whose order the appeal has been preferred.

19. *Obtaining of copies of orders.*—A copy of the order of the registering officer or the licensing officer or of the judgement of the appellate officer may be obtained on payment of a fee of Rs. 2 per copy on application specifying the date and other particulars of the order judgement made to the officer concerned.

20. *Payment of fees and security deposits.*—The fees for registration, renewal of registration, licence, renewal of licence, security deposits and other amounts to be remitted under the provisions of the Act and these rules shall be remitted by chalan in any Treasury in the State under the head of account specified by the Government.

CHAPTER III

DUTIES OF THE CONTRACTOR

21. *Particulars of migrant workman.*—(1) Every contractor shall furnish to the specified authorities the particulars regarding recruitment and employment of migrant workman in Form X.

(2) The particulars shall be either personally delivered by the contractor to the concerned specified authorities or sent to them by registered post.

22. *Return fare.*—The contractor shall pay to the migrant workman the return fare from the place of employment to the place of residence in the home-state of the migrant workman on the expiry of the period of employment and also on his—

(a) termination of service before the expiry of the period of employment for any reason whatsoever;

(b) being incapacitated for further employments on account of injury or continued ill-health duly certified as such by a registered medical practitioner;

(c) cessation of work in the establishment which is not due to any fault on the part of the migrant workman; and

(d) resignation from service on account of non-fulfilment of terms and conditions of his employment by the contractor.

23. *Pass Book.*—(1) In the pass book referred to in clause (b) of sub-section (1) of section 12, the following additional particulars shall be indicated, namely:—

(a) the date of recruitment;

(b) the date of employment;

(c) wage period, total attendance/unit of work done in respect of piece-rated migrant workman/total wages earned/deductions if any made/net amount paid and signature of contractor or his duly authorised representative with date; and (These entries shall be made separately in respect of each wage period within three days from the date of payment);

(d) name and address of the next of kins of migrant workman.

(2) In case of fatal accident or serious bodily injury to any migrant workman, the contractor shall immediately send telegram to the specified authorities of both the States and also the next of the kins of the migrant

workman intimating death or the nature of serious bodily injury sustained by the migrant workman, as the case may be, date, place and nature of accident. The Contractor shall further send written report to the specified authorities concerned and the next of the kin of the migrant workman, undermentioned particulars, by registered post within 24 hours of the occurrence of the accident.—

(i) Name of the migrant workman;
(ii) Date, place and nature of accident;
(iii) Condition of the migrant workman (if alive);
(iv) Action taken by the contractor/principal employer;
(v) Remarks.

(3) If the contractor fails to send the telegraphic intimation and/or written report as required under sub-rule (2), the principal employer shall comply with the requirements of sub-rule (2) as early as possible but in any case not later than 48 hours of the time of occurrence of the accident.

24. *Return and Report.*—Every contractor shall furnish a return regarding migrant workmen who have ceased to be employed in Form XI to the specified authorities concerned either personally or by registered post so as to reach them not later than 15 days from the date, the migrant workmen ceases to be employed.

CHAPTER IV

WAGES

25. *Rate of wages.*—The rate of wages of a migrant workman in an establishment where he is required to work which is neither same nor of similar kind as is being performed by any other workman in that establishment shall not be less than the rate of wages paid by the principal employer to a workman in the lowest category of workman directly employed by him in that establishment or the minimum rates of wages notified by the Central Government under the Minimum Wages Act, 1948 (Central Act XI of 1948), for the same or similar type of work performed by workmen in any scheduled employment in the area in which the establishment is located, or the rates of wages payable to the workmen for performing same or similar kind of work in that establishment in the State in which the establishment is located, whichever is higher:

Provided that if there is any dispute in this regard or with regard to applicability of wage rates to a migrant workman under clause (b) of sub-section (1) of section 13, the same shall be decided by the Officer authorised by the Government for the purpose by notification in the Gazette, whose decision thereon shall be final.

26. *Wage period.*—The contractor shall fix wage periods in respect of which wages shall be payable:

Provided that no wage period shall exceed one month.

27. *Payment of wages.*—The wages of every migrant workman in an establishment by a contractor where less than 1000 workmen are employed shall be paid before the expiry of the seventh day and in other cases before the expiry of the 10th day of every month.

28. *Payment on termination.*—Where the employment of any migrant workman is terminated by or on behalf of the contractor, the wages earned by the migrant workman shall be paid before the expiry of the second working day from the day on which his employment is terminated.

29. *Mode of payment.*—All payments of wages shall be made by the contractor on working day at the work premises and during the working time and on a date notified in advance and in case the work is completed before the date as so notified final payments shall be made within forty-eight hours of the last working day.

30. Wages due to every migrant workman shall be paid to him direct or to other persons duly authorised by him in this behalf.

31. All wages shall be paid in current coin or in currency or in both. Wages shall be paid without any deduction of any kind except those specified by the Government by general or special order in this behalf or permissible under the Payment of Wages Act, 1936 (Central Act 4 of 1936).

32. A notice showing the wage period and the place and time of disbursement of wages shall be displayed at the place of work and a copy sent by the contractor to the principal employer under acknowledgment.

33. The principal employer shall ensure the presence of his authorised representative at the place and time of disbursement of wages by the contractor to the migrant workman and it shall be the duty of the contractor to ensure the disbursement of wages in the presence of such authorised representatives.

34. The authorised representative of the principal employer shall record under his signature a certificate at the end of all the entries in the register of wages or the wages-cum-muster roll, as the case may be, in the following form:

"Certified that the amount shown in column No.................. has been paid to the migrant workman concerned in my presence on......... ....".

Chapter V

MEDICAL AND OTHER FACILITIES TO BE PROVIDED TO MIGRANT WORKMAN

35. *Holidays, hours of work and other conditions of service.*—(1) Holidays, hours of work including extra wages for overtime work done and other conditions of service of migrant workman shall not be less favourable than those obtaining in that establishment or in similar employments in the area in which the establishment is located, as the case may be.

(2) When there is any dispute in this regard or with regard to the applicability of holidays, hours of work including extra wages for overtime work done and other conditions of service to a migrant workman under clause (a) of sub-section (1) of section 13, the same shall be decided by the Officer authorised by the Government by notification in the official gazette whose decision thereon shall be final.

36. *Medical facilities.*—(1) The contractor shall ensure provision of suitable and adequate medical facilities for outdoor treatment to the migrant workman free of cost for treatment of any ailment from which the migrant workman or any member of his family may suffer during his employment in the establishment or to meet any preventive measure against epidemic or any virus infection. Wherever any medicine is purchased by a migrant workman from market on the basis of the prescription issued by any Doctor provided by the contractor or the principal employer, as the case may be, or any registered medical practitioner, the cost of such medicine shall be reimbursed by the contractor to the migrant workman concerned within a period of seven days from the date of presentation of the bill by the migrant workman.

(2) In the event of migrant workman or any of his family members suffering from any ailment require hospitalisation during his employment in the establishment, the contractor shall promptly arrange for the hospitalisation of the migrant workman or the concerned member of his family. The contractor shall bear the entire expenses on treatment, hospital charges (including diet), if any, and travel expenses for the patient from the place of his/her residence to the hospital and back.

(3) Every contractor shall provide and maintain so as to be readily accessible during all working hours first-aid boxes at the rate of not less than one box for one hundred and fifty workmen or part thereof.

(4) The first-aid box shall be distinctly marked with a Redcross on a white ground and shall contain the following equipment, namely—

(a) for the establishments in which number of migrant workman employed does not exceed fifty, each first-aid box shall contain the following equipment:—

(i) 6 small sterilized dressings;

(ii) 3 medium size sterilized dressings;

(iii) 3 large size sterilized dressings;
(iv) 3 large size sterilized burn dressings;
(v) 1 (30 ml.) bottle containing a two per cent alchoholic solution of iodine;
(vi) 1 (30 ml.) bottle containing salvolatile having the dose and mode of administration indicated on the label;
(vii) 1 snake-bite lancet;
(viii) 1 (30 gms) bottle of pottassium permanganate crystals;
(ix) 1 pair scissors;
(x) 1 copy of the first-aid leaflet issued by the Director General, Factory Advice Service and Labour Institutes, Government of India;
(xi) A bottle containing 100 tablets (each of 5 grains) of aspirin;
(xii) Ointment for burns; and
(xiii) A bottle of suitable surgical antiseptic solution.

(b) for establishments in which the number of migrant workman exceeds fifty, each first-aid box shall contain the following equipment:—

(i) 12 small sterilized dressings;
(ii) 6 medium size sterilised dressings;
(iii) 6 large size sterilized dressings;
(iv) 6 large size sterilized burn dressings;
(v) 6 (15 gms) packets sterilized cotton wool;
(vi) 1 (60 ml) bottle containing a two per cent alchoholic solution of iodine;
(vii) 1 (60 ml.) bottle containing salvolatile having the dose and mode of administration indicated on the label;
(viii) 1 roll of adhesive plaster;
(ix) a snake-bite lancet;
(x) 1 (30 gms) bottle of pottassium permanganate crystals;
(xi) 1 pair scissors;
(xii) 1 copy of the first-aid leaflet issued by the Director General, Factory Advisory Service and Labour Institutes, Government of India;
(xiii) A bottle containing 100 tablets (each of 5 grains) of aspirin;
(xiv) Ointment for burns; and
(xv) A bottle of a suitable surgical antiseptic solution.

(5) Adequate arrangements shall be made for immediate recoupment when necessary.

(6) Nothing except the contents mentioned in sub-rule (4) shall be kept in the first-aid box.

(7) The first-aid box shall be in charge of a responsible person who shall always be readily available during the working hours of the establishment.

(8) The person in charge of the first-aid box shall be a person trained in first-aid treatment, in establishments where the number of migrant workmen is one hundred and fifty or more.

37. *Protective clothing.*—(1) The contractor shall provide to every migrant workman where the temperature falls below 20 degree centigrade, protective clothing consisting of one woollen coat and one woollen trousers once in two years:

Provided that where the temperature falls below 5 degree centigrade one woollen overcoat shall also be provided to the migrant workman once in three years.

(2) The protective clothing shall be provided by the contractor to every migrant workman before onset of winter season in the area where the establishment is located or on the 30th day of September, whichever is earlier.

38 *Drinking water, latrines, urinals and washing facilities.*—(1) The contractor shall provide sufficient quantity of wholesome drinking water, sufficient number of sanitary latrines and urinals, washing facilities for the migrant workman at the establishment in the case of existing establishments within seven days of the commencement of these rules, and in case of new establishment, within seven days of the commencement of employment of migrant workmen therein.

(2) If any of the facilities is not provided by the contractor within the specified period, the same shall be provided by the principal employer within seven days of the expiry of the period specified in sub-rule (1).

39. *Rest rooms.*—(1) In every place where migrant workmen are required to halt at night in connection with the working of the establishment and in which employment of migrant workmen is likely to continue for three months or more, the contractor shall provide and maintain rest rooms or other suitable alternative accommodation within fifteen days of the coming into force of the rules in case of the existing establishments, and within fifteen days of the commencement of the employment of migrant workmen in the case of new establishments.

(2) If the amenity is not provided by the contractor within the specified period, the principal employer shall provide the same within a period of fifteen days of the expiry of the period specified in sub-rule (1).

(3) Separate rooms shall be provided for female migrant workmen.

(4) Effective and suitable provisions shall be made in every room for securing and maintaining adequate ventilation by circulation of fresh air, and there shall also be provided and maintained sufficient and suitable natural and artificial lighting.

(5) The rest rooms, or other suitable alternative accommodation shall be of such dimensions so as to provide at least a floor area of 1:1 square metre for each person.

(6) The rest room, rooms or other suitable alternative accommodation shall be so constructed as to afford adequate protection against heat, wind, rain and shall have smooth hard and impervious floor surface.

(7) The rest rooms or other suitable accommodation shall be at a convenient distance from the establishment and shall have adequate supply of wholesome drinking water.

40. *Canteens.*—(1) In every establishment wherein work regarding the employment of migrant workmen is likely to continue for six months and wherein migrant workmen numbering one hundred or more are ordinarily employed an adequate canteen shall be provided by the contractor for the use of such migrant workmen within sixty days of the date of coming into force of the rules in the case of existing establishments, and within sixty days of the commencement of the employment of migrant workmen in the case of new establishments.

(2) If the contractor fails to provide canteen within the time laid down, the same shall be provided by the principal employer, within sixty days of the expiry of the time allowed to the contractor under sub-rule (1).

(3) The canteen shall be maintained by the contractor or principal employer, as the case may be, in an efficient manner.

(4) The canteen shall consist of at least a dining hall, kitchen, store-room, pantry and washing places separately for migrant workmen and for utensils.

(5) (i) The canteen shall be sufficiently lighted at all times when any person has access to it.

(ii) The floor shall be made of smooth and impervious material and inside walls shall be lime-washed or colour-washed at least once in each year:

Provided that the inside walls of the kitchen shall be lime-washed every four months.

(6) (i) The precincts of the canteen shall be maintained in a clean and sanitary condition.

(ii) Waste water shall be carried away in suitable covered drains and shall not be allowed to accumulate so as to cause nuisance.

(iii) Suitable arrangements shall be made for the collection and disposal of garbage.

(7) The dining hall shall accommodate at a time at least 30 per cent of the migrant workmen working at a time.

(8) The floor area of the dining hall, excluding the area occupied by the service counter and any furniture except tables and chairs shall be not less than one square metre per diner to be accommodated as specified in sub-rule (7)

(9) (i) A portion of the dining hall and service counter shall be partitioned off and reserved for women migrant workmen in proportion to their number.

(ii) Washing places for women shall be separate and screened to secure privacy.

(10) Sufficient tables, stools, chairs or benches shall be available for the diners to be accommodated as specified in sub-rule (7).

(11) (i) There shall be provided and maintained sufficient utensils, crockery, cutlery, furniture and any other equipment necessary for the efficient running of the canteen.

(ii) The furniture, utensils and other equipment shall be maintained in a clean and hygienic condition.

(12) (i) Suitable clean cloths for the employees serving in the canteen shall also be provided and maintained.

(ii) A service counter, if provided, shall have top of smooth and impervious material.

(iii) Suitable facilities including an adequate supply of hot water shall be provided for the cleaning of utensils and equipment.

(13) The foodstuffs and other items to be served in the canteen shall be in conformity with the normal habits of the migrant workmen.

(14) The charges for meals, other foodstuffs, beverages and any other items served in the canteen shall be based on no-profit, no-loss basis and shall be conspicuously displayed in the canteen.

(15) In arriving at the prices of foodstuffs and other articles served in the canteen the following items shall not be taken into consideration as expenditure, namely:—

(a) The rent for the land and buildings;

(b) The depreciation and maintenance charges for the building and equipment provided for in the canteen;

(c) The cost of purchase, repairs and replacement of equipments including furniture, crockery, cutlery and utensils;

(d) The water charges and other charges incurred for lighting and ventilation;

(e) The interest on the amounts spent on the provisions and maintenance of furniture and equipment provided for in the canteen.

(16) The books of accounts and registers and other documents used in connection with the running of the canteen shall be produced on demand to an Inspector.

(17) The accounts pertaining to the canteen shall be audited once every twelve months by registered Accountants and Auditors:

Provided that the Officer authorised by the Government may approve of any other person to audit the accounts, if he is satisfied that it is not feasible to appoint a registered accountant and auditor in view of the site or the location of the canteen.

41. *Latrines and Urinals.*—(1) Latrines shall be provided in every establishment on the following scale, namely:—

(a) Where females are employed there shall be at least one latrine for every 25 females;

(b) Where males are employed, there shall be at least one latrine for every 25 males:

Provided that where the number of males or females exceeds 190, it shall be sufficient if there is one latrine for 25 males or females, as the case may be, upto the first 100, and one for every 30 thereafter.

(2) Every latrine shall be under cover and so partitioned off as to secure privacy, and shall have a proper door and fastenings.

(3) (i) Where workers of both sexes are employed there shall be displayed outside each block of latrine and urinal a notice in the language understood by the majority of the workers 'For Men Only', or 'For Women Only', as the case may be.

(ii) The notice shall also bear the figure of a man or of a woman, as the case may be.

(4) There shall be at least one urinal for male workers upto fifty and one for female upto fifty employed at a time:

Provided that where the number of male or female workmen, as the case may be, exceeds 500 it shall be sufficient if there is one urinal for every fifty females upto the first 500 and one for every 100 or part thereof thereafter.

(5) The latrines and urinals shall be conveniently situated and access to workers at all times at the establishment.

(6) (i) The latrines and urinals shall be adequately lighted and shall be maintained in a clean and sanitary condition at all times.

(ii) Latrines and urinals other than those connected with a flush sewage system shall comply with the requirements of the public health authorities

(7) Water shall be provided by the means of tap or otherwise so as to be conveniently accessible in or near the latrine and urinals.

42. *Washing facilities.*—(1) In every establishment adequate and suitable facilities for washing shall be provided and maintained for the use of migrant workman employed therein.

(2) Separate and adequate screening facilities shall be provided for the use of male and female migrant workman.

(3) Such facilities shall be conveniently accessible and shall be kept in clean and hygienic condition.

43. *Creche.*—(1) In every establishment where 20 or more women are ordinarily employed as migrant workmen and in which employment of migrant workman is likely to continue for three months or more, the contractor shall provide and maintain two rooms of reasonable dimensions for the use of their children under the age of six years, within fifteen days of the coming into force of the rules, in case of existing establishment, and within fifteen days of the commencement of the employment of not less than twenty women as migrant workman in new establishments.

(2) One of such rooms shall be used as play room for the children and the other as bed room for the children.

(3) If the contractor fails to provide the creche within the time laid down, the same shall be provided by the principal employer within fifteen days of the expiry of the time allowed to the contractor.

(4) The contractor or the principal employer, as the case may be, shall supply adequate number of toys and games in the play rooms and sufficient number of cots and beddings in the sleeping rooms.

(5) The creche shall be so constructed as to afford adequate protection against heat, damp, wind, rain and shall have smooth, hard and impervious floor surface.

(6) The creche shall be at a convenient distance from the establishment and shall have adequate supply of wholesome drinking water.

(7) Effective and suitable provisions shall be made in every room of the creche for securing and maintaining adequate ventilation by circulation of resh air and there shall also be provided and maintained sufficient and suitable natural or artificial lighting.

44. *Residential accommodation.*—(1) The contractor shall provide to every migrant workman—

(i) in case he is accompanied by any other member of his family a suitable barrack consisting of minimum one room having at least a floor area of 10 square metres, a verandah and adequate additional covered space for cooking food as well as one common sanitary latrine, one common bath room for every three such quarters; and

(ii) in case he is unaccompanied by any other member of his family a suitable barrack so as to accommodate not more than ten such migrant workmen, having at least a floor area of not less than 6.5 square metres for each such migrant workman making use of the barrack, a verandah and adequate additional covered space for cooking food as well as one common sanitary latrine and one common bath room for every ten such migrant workmen; within fifteen days of coming into force of the rules in the case of the existing establishments, and within fifteen days of the commencement of the employment of migrant workmen in new establishments.

(2) Every quarter and the barrack shall be so constructed as to afford adequate ventilation, protection against heat, wind, rain and shall have smooth, hard and impervious floor surface.

(3) The quarters or the barracks, as the case may be, shall be at a convenient distance from the establishment and shall have adequate supply of wholesome drinking water.

(4) The area in which the quarters and/or the barracks are located as well as the latrines and the bath rooms provided therein shall be kept in a clean and sanitary condition at all times.

(5) If the amenities referred to in sub-rule (1) are not provided by the contractor within the period prescribed, the principal employer shall provide the same within a period of fifteen days of the expiry of the period laid down in the said sub-rule.

(6) If there is any dispute or disagreement regarding suitability or adequacy of provision of any of the amenitites referred to in sub-rules (1) to (4), the same shall be decided by the Officer authorised by the Government by notification in the Gazette whose decision thereon shall be final.

45. *Liability of the principal employer in certain cases.*—If any allowance required to be paid under section 14 or section 15 to a migrant workman employed in an establishment to which the Act applies is not paid by the contractor or if any facility specified in section 16 thereof is not provided for the benefit of such migrant workman, such allowance shall be paid, or, as the case may be, the facility shall be provided, by the principal employer within fifteen days of the expiry of the time allowed to the contractor under the rules except where otherwise provided for in the relevant rules:

Provided that in case of ailment requiring urgent medical attention or hospitalisation as the case may be, the principal employer shall provide the same immediately on the failure of the contractor to do so.

46. *Relaxation in certain cases.*—If the contractor or, principal employer, as the case may be, has already provided any facility relating to supply of wholesome drinking water or rest-rooms or latrines and urinals or washing facilities, canteen or creche or first-aid is required under any Act applicable to the establishment and the same is adequate and also available for use for the migrant workman, that facility, shall be deemed to be provided for under these rules.

CHAPTER VI

REGISTERS AND RECORDS—COLLECTION OF STATISTICS

47. *Registers of contractors.*—Every principal employer shall maintain in respect of each registered establishment a register of contractors in Form XII.

48. *Register of persons employed.*—Every principal employer and contractor shall maintain in respect of each establishment where he employs migrant workman, a register in Form XIII.

49. *Service Certificate.*—On termination of employment for any reason whatsoever the contractor shall issue to the migrant workmen whose services has been terminated a service certificate in Form XIV.

50. *Displacement-cum-outward journey allowances sheet and return journey allowances register.*—(1) Every contractor shall maintain a sheet for payment of displacement-cum-outward journey allowances as required to be paid under sections 14 and 15 in Form XV and a register for return journey allowance as required under section 15, in Form XVI.

(2) Entries in the sheet and the register required to be maintained under sub-rule (1) shall be authenticated by the contractor or his duly authorised representative.

51. *Muster roll, wages register, deductions register and overtime register.*—(1) In respect of establishments which are governed by the Payment of Wages Act, 1936 (Central Act 4 of 1936), and the rules made thereunder or the Minimum Wages Act, 1948 (Central Act, 11 of 1948), and the rules made thereunder, or the Contract Labour (Regulation and Abolition) Act, 1970 (Central Act 37 of 1970), and the rules made thereunder, the following registers and

records required to be maintained by the contractor as employer under those Acts and the rules thereunder shall be deemed to be registers and records to be maintained by the contractor under these rules:—

(a) muster roll;

(b) register of wages;

(c) register of deductions;

(d) register of fines;

(e) register of overtime;

(f) register of advances.

(2) In respect of establishments not covered by any of the Acts or the rules referred to in sub-rule (1), the following provisions shall apply, namely:—

(a) Every contractor shall maintain a Muster Roll Register and a Register of Wages in Form XVII and Form XVIII respectively;

(b) Signature or thumb impression of every migrant workman on the register of wages shall be obtained and entries therein shall be authenticated by the signature of the contractor or his authorised representative, and duly certified by the authorised representative of the principal employer as required by rule 34;

(c) Register of deduction for damage or loss, register of fines and register of advances shall be maintained by every contractor in Forms XIX, XX and XXI respectively;

(d) Every contractor shall maintain register of overtime in Form XXII.

(3) Notwithstanding anything contained in these rules where a combined or alternative form is sought to be used for the contractor to avoid duplication of work for compliance with the provisions of any other Act or the rules framed thereunder, or any other laws or regulations, or in cases where mechanised pay rolls are introduced for better administration, alternative suitable form or forms in lieu of any of the forms prescribed under these rules, may be used with the previous approval of the Government.

52. *Maintenance and preservation of registers.*—(1) All registers and other records required to be maintained under the Act and rules, shall be maintained complete and up-to-date, and, unless otherwise provided for, shall be kept at an office or the nearest convenient building within the precincts of the workplace or at a place, if any, specified by the Inspector on the specific request made by the contractor in this behalf.

(2) All the registers shall be maintained legibly in English or Hindi and in the language spoken by majority of migrant workmen in the establishment.

(3) All the registers and other records shall be preserved in original for a period of three calendar years from the date of last entry made therein.

(4) All the registers, records and notices maintained under the Act or rules shall be produced on demand before the Inspector or the Government or any other authority under the Act or any person authorised in that behalf by Government.

(5) Where no deduction or fine has been imposed or no overtime has been worked during any wage period, a 'NIL' entry shall be made across the body of the register at the end of every wage period indicating also in precise terms the wage period to which the 'NIL' entry relates in the respective registers maintained in Forms XIX, XX and XXI respectively.

53. *Display of an abstract of the Act and the Rules.*—Every contractor shall display an abstract of the Act and the rules in English and Hindi and in the language spoken by majority of migrant workmen in such forms as may be approved by the Government.

54. *Notices.*—(1) (i) Notices showing the rates of wages, hours of work, wage periods, dates of payment of wages, names and addresses of the Inspectors having jurisdiction, and date of payment of unpaid wages, shall be displayed in English and in Hindi and in the local language understood by the majority of the workers in conspicuous places at the establishment and the work-site by the principal employer or the contractor, as the case may be.

(ii) The notices shall be correctly maintained in a clean and legible condition.

(2) A copy of the notice shall be sent to the Inspector and whenever any changes occur, the same shall be communicated to him forthwith.

55. *Periodical returns.*—(1) Every contractor shall send half-yearly return in Form XXIII (in duplicate) so as to reach the licensing officer concerned not later than thirty days from the close of the half year.

Note:—Half year of the purpose of this rule means a period of six months commencing from the 1st January and from the 1st July every year.

(2) Every principal employer of a registered establishment shall send annually a return in Form XXIV (in duplicate), so as to reach the registering officer concerned not later than the 15th February following the end of the year to which it relates.

56. *Power to call for information, etc.*—(1) The Inspector or any other authority under the Act shall have powers to call for any information or statistics in relation to migrant workmen from any contractor or principal employer at any time by an order in writing.

(2) Any person called upon to furnish the information under sub-rule (1) shall be legally bound to do so.

Chapter VII

LEGAL AID TO MIGRANT WORKMAN

57. *Legal aid.*—On receipt of a written application from migrant workman or in the event of his death, from next of his kin for providing legal aid in relation to any proceedings before the Authority under section 15 of the Payment of Wages Act, 1936 (Central Act 4 of 1936), or the Authority under section 20 of the Minimum Wages Act, 1948 (Central Act 11 of 1948), or a Labour Court under sub-section (2) of section 33C of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), or Commissioner for workmen's compensation under the Workmen's Compensation Act, 1923, (Central Act VIII of 1923), in which the migrant workman or his legal heir is a party, the specified authority concerned, if he is satisfied, may with the prior approval of Officer authorised by the Government by notification in the official Gazette engage an advocate to conduct the relevant proceedings on behalf of the migrant workman or his legal heir, as the case may be, and meet all legal expenses in this regard.

FORM I

[*See* rule 3 (1)]

Application for registration of establishments employing Migrant Workmen

1. Name and location of the establishment
2. Postal address of the establishment
3. Full name and address of the Principal employer (furnish father's/husband's name in the case of individuals)
4. Names and addresses of the directors/particulars of partners (in case of companies and firms)
5. Full name and address of the Manager or person responsible for the supervision and control of the establishment
6. Nature of work carried on in the establishment
7. Particulars of contractors and migrant workmen—
   (a) Names and addresses of contractors
   (b) Nature of work for which, migrant workmen are to be recruited or are employed
   (c) Maximum number of migrant workmen to be employed on any day through each contractor
   (d) Estimated date and commencement of work under each contractor
   (e) Estimated date of termination of employment of migrant workmen under each contractor
8. Particulars of fees remitted—
   Chalan receipt No. .... dated ....
   for Rs. .... remitted in ....
   Treasury.

I hereby declare that the particulars given above are true to the best of my knowledge and belief.

Principal Employer,
Seal and Stamp.

Office of the Registering Officer,
Date of receipt of application.

FORM II

[*See* rule 4 (1)]

Certificate of Registration

Date..................

GOVERNMENT OF KERALA

Office of the Registering Officer

A certificate of registration containing the following particulars is hereby granted under clause (a) of sub-section (2) of section 4 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 and the rules made thereunder to..................................

1. Nature of work carried on in the establishment
2. Names and addresses of contractors
3. Nature of work for which migrant workmen are to be employed or are employed
4. Maximum number of migrant workmen to be employed on any day through each contractor
5. Other particulars relevant to the employment of migrant workmen.

(i)

(ii)

Signature of Registering Officer with Seal.

FORM III

[*See* rule 4 (2)]

Register of Establishments

Sl. No.	*Registration No. and Date*	*Name ond address of the establishment registered*	*Name of the principal Employer and his address*	*Type of business, trade, industry, manufacture or occupation, which is carried on in the establishment*	*Maximum No. of migrant workmen directly employed on any day*
(1)	(2)	(3)	(4)	(5)	(6)

Particulars of Contractor and inter-State Migrant Workmen

Name and address of Contractor	*Nature of work for which migrant workmen are to be recruited or are employed*	*Maximum No. of Migrant workmen employed on any day through a contractor*	*Probable duration of employment of migrant workmen*	*Remarks*
(7)	(8)	(9)	(10)	(11)

FORM IV

[*See* rule 7 (1)]

Application for Licence for Recruitment

1. Name and address of the contractor (including his Father's/Husband's name in case of individuals)

2. Date of birth and age (in cases of individuals)

3. Particulars of establishment where migrant workmen are to be employed—

   (a) Name and address of the establishment

   (b) Type of business, trade, industry, manufacture or occupation, which is carried on in the establishment

   (c) Number and date of certificate of registration of the establishment under the Act

   (d) Name and address of the principal employer

4. Particulars of migrant workmen—

   (a) Nature of work in which migrant workmen are employed or are to be employed in the establishment

   (b) Duration of the proposed contract work (give particulars of proposed date of commencing and ending)

   (c) Name and address of the agent or manager of the contractor at the work site

   (d) Maximum number of migrant workmen proposed to be employed in the establishment on any date

   (e) Names and addresses of the directors/partners (in case of companies and firms)

   (f) Name(s) and address(s) of the person(s) in-charge of and responsible to the company/firm for the conduct of the business of the company/firm, as the case may be

5. Whether the contractor was convicted of any offence within the preceding five years. If so, give details

6. Whether there was any order against the contractor revoking or suspending licence or forfeiting security deposits in respect of an earlier contract. If so, the date of such order

7. Whether the contractor has worked in any other establishment within the past five years. If so, give details of the principal employer, establishment, and nature of work

8. Whether a certificate by the principal employer in Form V is enclosed

9. Amount of licence fee paid—
chalan receipt No.........dated.................................
for Rs.............remitted in the ....Treasury

10. Amount of security deposit, if any.

DECLARATION

I hereby declare that the details given above are correct to the best of my knowledge and belief.

Signature of the applicant
(Contractor)

Place..........
Date..........

Note:—The applications should be accompanied by the chalan receipt showing the payment of the prescribed licence fee and security deposit, if any, and a certificate in Form V from principal employer.

(To be filled in the Office of thel icensing officer)

Date of receipt of the application with chalan receipt for fees

Signature of the Licensing Officer

FORM V

[*See* rule 7 (2)]

Application for Licence for Employment

1. Name and address of the contractor (including his Father's/Husband's name in case of individuals)

2. Date of birth and age (in case of individuals)

3. Particulars of establishment where migrant workmen are to be employed—

    (a) Name and address of the establishment

    (b) Type of business, trade, indistry, manufacture or occupation, which is carried on in the establishment

    (c) Number and date of certificate of registration of the establishment under the Act

    (d) Name and address of the principal employer

4. Particulars of migrant workmen—

    (a) Nature of work in which migrant workmen are employed or are to be employed in the establishment

    (b) Duration of the proposed contract work (give particulars of proposed date of commencing and ending)

    (c) Name and address of the agent or manager of the contractor at the work site

    (d) Maximum number of migrant workmen proposed to be employed in the establishment on any date

    (e) Names and addresses of the Directors/ Partners (in case of companies and firms)

(f) Name(s) and address(s) of the person(s) in-charge of and responsible to the company/firm for the conduct of the business of the company/firm, as the case may be

5. Whether the contractor was convicted of any offence within the preceding five years? If so, give details.

6. Whether there was any order against the contractor revoking or suspending licence or forefeiting security deposits in respect of an earlier contract? If so, the date of such order

7. Whether the contractor has worked in any other establishment within the past five years? If so, give details of the principal employer, establishment and nature of work

8. Whether a certificate by the principal employer in Form V is enclosed ?

9. Amount of licence fee paid—
No. of chalan receipt and date

10. Amount of security deposit, if any

DECLARATION

I hereby declare that the details given above are correct to the best of my knowledge and belief.

Signature of the Applicant.
(Contractor)

Place:
Date :

Note :—The application should be accompanied by chalan receipt showing the payment of the prescribed fee and security deposit, if any, and a certificate in Form VI from the principal employer.

(To be filled in the Office of the Licensing Officer)

Date of receipt of the application with chalan receipt for fees.

Signature of the Licensing Officer.

FORM VI

[*See* rule 7 (3)]

Form of Certificate by Principal Employer

Certified that I have engaged the applicant........................ (name of the contractor) as a contractor in my establishment. I undertake to be bound by all the provisions of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (Central Act 30 of 1979), and the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Kerala Rules, 1982, in so far as the provisions are applicable to me in respect of the employment of migrant workmen by the applicant in my establishment.

Signature of Principal Employer,
Name and address of Establishment.

Place :

Date :

FORM VII

[*See* rule 10 (2)]

Application for adjustment of Security Deposit

Name and address of the contractor	*Number and date of application for fresh licence*	*Date of expiry of previous licence*	*Whether the previous licence of the contractor was suspended or revoked*	*Number and date of chalan receipt of security deposit in respect of the previous licence*	*Amount of previous security deposit*
(1)	(2)	(3)	(4)	(5)	(6)

Amount of security deposit for the fresh licence	*Number and date of chalan receipt of the balance of security deposit deposited with the fresh application*	*Number and date of certificate of registration of the establishment in relation to which the fresh licence is applied for*	*Name and address of the principal employer*	*Particulars of fresh application*	*Remarks*
(7)	(8)	(9)	(10)	(11)	(12)

Signature of applicant.

Place:

Date:

FORM VIII

[*See* rule 11 (1)]

GOVERNMENT OF KERALA

Office of Licensing Officer

Licence No. Dated. Fee paid Rs......

LICENCE

Licence is hereby granted to....................under sub-sectio (1) of section 8 of the Inter-State Migrant Workmen (Regulation of Employ ment and Conditions of Service) Act, 1979 (Central Act 30 of 1979) subjec to the conditions specified in the Annexure.

2. This licence is for doing the work of.......................... (nature of work to be indicated) in the establishment of ....(name of principal employer to be indicated) at.......... (place of work to be indicated).

3. The licence shall remain in force till.......................... (date to be indicated).

Signature and Seal of Licensing Officer.

RENEWAL

(*See* rule 14)

Name and address of the Licensee.	*Number and date of licence*	*Fee paid for renewal*	*Date of renewal*	*Date of expiry*
1.				
2.				
3.				

Date:

Signature and Seal of the Licensing Officer

Annexure

he licence is subject to the following conditions, namely:—

1. The licence shall be non-transferrable.
2. The numbr of workmen employed as migrant workmen in the establishment shall not, on any day, exceed the maximum number specified in the application for licence.
3. Save as provided in the rules the fee paid for the grant, or, as the case may be, for renewal of licence shall be non-refundable.
4. The rates of wages payable to the migrant workmen by the contractor shall not be less than the rates prescribed under the Minimum Wages Act, 1948, for such employment where applicable, and where the rates have been fixed by agreement, settlement or award, not less than the rates so fixed.

5(a) In cases where the migrant workmen employed by the contractor perform the same or similar kind of work as the workmen directly employed by the principal employer of the establishment, the wage rates, holidays, hours of work and other conditions of service of the migrant workmen of the contractor shall be the same as applicable to the workmen directly employed by the principal employer of the establishment on the same of or similar kind of work.

(b) In other cases the wages rates, holidays, hours of work and conditions of service of the migrant workmen of the contractor shall be such as prescribed in these rules:

Provided that in the case of any disagreement with regard to the type of ork the same shall be decided by the appellate officer (Kerala State) whose ecision shall be final.

6. Every migrant workman shall be entitled to allowances, benefits, facilities, etc., as prescribed in the Act and these rules.
7. No female migrant workman shall be employed by any contractor before 6 a.m. or after 7 p.m.
8. The contractor shall notify any change in the number of migrant workmen or the conditions of work to the licensing officer.
9. The contractor shall comply with all the provisions of the Act and these rules.
10. A copy of the licence shall be displayed prominently at the premises where the migrant workmen are employed:

Provided that this clause shall not apply to the employment of female igrant workman in Pit head Baths, Creches and Canteens and as Midwives nd Nurses in hospitals and dispensaries.

FORM IX

[*See* rule 14 (2)]

Application for Renewal of Licence

1. Name and address of the contractor
2. Number and date of the licence
3. Date of expiry of the previous licence
4. Whether the licence of the contractor was suspended or revoked
5. Number and date of the Chalan receipt enclosed

Place

Date

Signature of the Applicant

(To be filled in the Office of the Licensing Officer

Date of receipt of the application with chalan number and date

Signature of the Licensing Officer

(See rule 21)

Particulars of migrant workman

1. Name and address of the contractor..
2. Name and address of the sub contractor through whom recruitment has been made..
3. Name and address of the establishment..
4. Name and address of the principal employer..
5. Name of the State in which the place of work is located..
6. Name of the State in which recruitment was made..

Sl. No.	*Name of migrant workman*	*Father's/Husband's Name*	*Sex*	*Age*	*Permanent home address*	*Name and address of the next of the kin of migrant workman*	*Place and of address of residence in the home State*	*Amount of displacement allowance paid*
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Amount of outward journey allowance paid	*Amount of wages for outward journey period paid*	*Nature of job required to be performed*	*Date of recruitment*	*Date of employment*	*Details of rates of wages and other allowances payable*	*Period of contract of employment*	*Details of other service condition*	*Remarks*
(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)

Signature of contractor or his authorised representative
Date:

Submitted to

(1) ....
....
(Specified authority in the State in which migrant workman/workmen is /are employed)

(2) ....
....
(Specified authority in the State from which the migrant workman/workmen has/have been recruited).

Copy forwarded to

.... (The principal employer)

Signature of the contractor or his authorised representative
Date:

Note:—In case where migrant workmen concerned have been recruited from [illegible] than one State, separate

33|4376|MC.

FORM XI

(*See* rule 24)

Return

Name and address of the contractor.......................
Name and address of the sub-contractor through whom recruitment has been made..............................
Name and address of the establishment ....
Name and address of the principal employer ....
Name of the State in which the place of work is located ....
Name of the State in which recruitment was made ....

Sl. No.	*Name of migrant workmen*	*Father's/Husband's name*	*Sex*	*Designation*	*Age*	*Permanent home address indicating the State*	*Place and address of residence in home State*	*Date of employment*	*Date on which ceased to be employed*	*Total days worked*
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

Details of rates of wages and other allowances paid	*Amount of displacement allowance paid*	*Amount of outward journey allowance and wages for outward journey paid*	*Amount of return journey allowance and wages for return journey paid*	*Total wages paid*	*Details of compensation and other allowances*	*Amount of deductions, if any*	*Amount of advance, if any, paid*	*Amount of advance, if any, recovered*	*Remarks*
(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)

DECLARATION

I/we hereby declare that all wages, other dues including displacement allowance, outward return journey allowances and wages for journeys periods payable to migrant workman/workmen named above and employed by me/us have been paid by me/us/to him them.

Place.................... Signature of the contractor or his authorised representative.

Date...........

Submitted to:

1............................

....

(Specified authority in the State in which migrant workman/workmen is/are employed)

2................................

....

(Specified authority in the State from which the migrant workman/workmen has/have been recruited)

Copy forwarded to.............................

(The principal employer)

Signature of the contractor or his authorised representative.

Date:......................

Note:—In case where migrant workmen concerned have been recruited from more than one State, separate returns shall be submitted in respect of each such State.

FORM XII

(*See* rule 47)

Register of Contractors

(1) Name and address of the principal employer.................

(2) Name and address of the establishment ....

1. *Name and address of contractor*	*Nature of work on contract*	*Location of contract work*	*Period of contract*		*Maximum number of migrant workmen employed by contractor*
			From	*To*	

Signature of principal employer.

FORM XIII

(*See* rule 48)

Register of Workmen employed by contractor/Principal employer

Name and address of contractor.................................

Name and address of the establishment...............................

Name and address of establishment in/under which migrant workmen are employed..............

Name and address of principal employer..............

Sl. No.	*Name and surname of migrant workman*	*Age and sex*	*Father's/husband's name*	*Nature of employment/designation*	*Permanent Home address of migrant workmen (Village and Tehsil/Taluk and District, State)*	*Local address*	*Date of commencement of employment*
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Signature or thumb impression of migrant workmen	*Date of termination of employment*	*Reasons for termination*	*Remarks*
(9)	(10)	(11)	(12)

Signature of contractor or his authorised representative/principal employer.

FORM IV

(*See* rule 49)

Service Certificate

Name and address of Contractor................

Name and address of establishment in/under which migrant workmen are employed.........................

Nature and location of work....................

Name and address of the migrant workman.................

Name and address of principal employer..........................

Age or date of birth...................

Identification marks...........................

Father's/Husband's name ....

Sl. No.	*Total period for which employed*		*Nature of work done*	*Rate of wages (with particulars of unit in case of piece-work)*	*Remarks*
	From	*To*			
(1)	(2)	(3)	(4)	(5)	(6)

Signature of contractor or his authorised representative.

FORM XV

[*See rule* 50 (i)]

Displacement-cum-Outward Journey Allowances Sheet

Name and address of the contractor............ Name and address of the establishment............

Name and address of the principal employer........ Month and year...............

Sl.No.	*Name of the migrant workman*	*Father's/ Husband's name*	*Permanent home address indicating the State*	*Place and address of residence in the home State*	*Designation*	*Rate of wages*	*Wages payable in a month*	*Place of recruitment*	*Place of work with address indicating the State*
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Railway Station/ busstand nearest to the place of residence	*Railway Station/ busstand nearest to the place of work*	*Date and time of commencement of journey from the place of residence*	*Expected date and time of arrival at the place of work*	*Details of modes of journeys from the place of residence in the home State to the place of work*	*Amounts of bus fare and/or second class train fare and/ or other journey expenses separately as per the modes of journey indicated in Col.*15
(11)	(12)	(13)	(14)	(15)	(16)

Total of amounts indicated in Column No. 16	*Amount of displacement allowance* Rs. P.	*Amount of outward journey allowance*	*Wages for outward journey period*	*Total amount paid*	*Date on which paid*	*Signature or thump impression of the migrant workman*
(17)	(18)	(19)	(20)	(21)	(22)	(23)

Actual date and time of arrival at the place of work	*Balance wages for outward journey, if any, payable*	*Date of payment of the balance wages indicated in column No. 25*	*Signature or thumb impression of the migrant workman*	*Remarks*
(24)	(25)	(26)	(27)	(28)

Note:—Indicate separately different mode of journeys. Entries are to be made against each individual migrant workman.

Signature of the contractor or his authorised representative

Date.............................

FORM XVI

[*See* rule 50 (1)]

Return Journey Allowance Register

Name and address of the contractor ....

Name and address of the establishment..............

Month and year ....

Name and address of the principal employer..........

Sl. No.	*Name of the migrant workman*	*Father's/ Husband's name*	*Permanent home address indicating the State*	*Place and address of residence in the home State*	*Designation*	*Rate of wages*	*Place of work*	*Railway Station/ bus stand nearest to the place of work*
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Railway Station/bus stand nearest to the place of residence in the home State	*Date and time of commencement of journey from the place of work*	*Expected date and time of arrival at the residence in home State*	*Expected modes of journeys from the place of work to place of residence in the home State*	*Amount of bus fare and/ or second class train fare and/or other journey, expenses, separately as per expected modes of journeys indicated in column No. 13*
(10)	(11)	(12)	(13)	(14)

Total amounts indicated in column No. 14	*Amount of return journey allowance*	*Wages for return journey period*	*Total amount paid*	*Date on which paid*	*Signature or thumb impression of the migrant workman*	*Remarks*
(15)	(16)	(17)	(18)	(19)	(20)	(21)

Indicate separately different modes of journey.

Note:—Entries are to be made against each individual inter-State migrant workman.

Signature of the contractor or his authorised representative.

Date....................

FORM XVII

[*See* rule 51 (2) (a)]

Muster Roll Register

Name and address of contractor............

Name and address of establishment in/under which migrant workmen are employed..................

Nature and location of work..............

Name and address of principal employer................

For the month of..................

Sl. No.	*Name of migrant workman*	*Father's/Husband's name*	*Sex*	*Date*					*Remarks*
				1	2	3	4	5	

FORM XVIII

[(*See* rule 51 (2) (a)]

Register of Wages

Name and address of contractor....................

Nature and location of work....................

Name and address of establishment in/under which inter-State Migrant workmen are employed..........

Name and address of principal employer......................

Wage period....................

Sl.No.	*Name of inter-State migrant workman*	*Serial No. in the Register of workmen*	*Designation/ nature of work*	*Number of days worked*	*Units of work done*	*Daily-rate of wages/Piece rate*
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Amount of wages earned					*Deductions, if any, (indicate nature)*	*Net amount paid*	*Signature/ thumb impression of inter-State migrant workman*	*Initials of contractor or his authorised representative*
Basic wages	*Dearness allowance*	*Overtime*	*Other cash payments (Nature of payment to be indicated)*	*Total*				
(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)

FORM XIX

[*See* rule 51(2) (*c*)]

Register of Deductions for Damages or Loss

Name and address of contractor................
Nature and location of work.....................
Name and address of establishment in/under which inter-State migrant workman are employed..............
Name and address of principal employer.......................

Sl. No.	*Name of inter-State migrant workman*	*Father's/ Husband's name*	*Designation/ Nature of employment*	*Particulars of damage or loss*	*Date of damage or loss*	*Whether inter-State migrant workman showed causes against deduction*
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Name of person in whose present employee's explanation was heard	*Amount of deduction imposed*	*Number of instalments*	*Date of recovery*		*Remarks*
			First instalment	*Last instalment*	
(8)	(9)	(10)	(11)	(12)	(13)

FORM XX

[*See* rule 51 (2) (c)]

Register of Fines

Name and address of contractor....................

Nature and location of work..................

Name and address of Establishment in/under which inter State migrant workmen are employed..........

Name and address of principal employer......................

Sl.No.	*Name of inter-State migrant workman*	*Father's/ Husband's name*	*Designation/ nature of employment*	*Act/omission for which fine imposed*	*Date of offence*
(1)	(2)	(3)	(4)	(5)	(6)

Whether inter-State migrant workman showed cause against fine	*Name of person in whose presence employee's explanation was heard*	*Wage period and wages payable*	*Amount of fine imposed*	*Date on which fine realised*	*Remarks*
(7)	(8)	(9)	(10)	(11)	(12)

FORM XXI

[(*See* rule 51 (2) (c)]

Register of Advances

Name and address of contractor..................

Nature and location of work......................

Name and address of establishment in/under which inter-State migrant workmen are employed...........

Name and address of principal employer.....................

Sl.No.	*Name of inter-State migrant workman*	*Father's/ Husband's name*	*Nature of employment/ Designation*	*Wage period and wage payable*	*Date and amount of advance given*
(1)	(2)	(3)	(4)	(5)	(6)

Purpose(s) for which advance made	*Number of instalments by which advance to be repaid*	*Date and amount of each instalment repaid*	*Date on which last instalment was repaid*	*Remarks*
(7)	(8)	(9)	(10)	(11)

FORM XXII

[*See* rule 51(2) (d)]

Register of Overtime

Name and address of contractor..................
Name and address of establishment in/under which migrant workmen are employed..................
Nature and location of work....................
Name and address of principal employer.......................

Sl.No.	*Name of inter-State migrant workman*	*Father's/Husband's name*	*Sex*	*Designation/nature of employment*	*Date on which overtime worked*
(1)	(2)	(3)	(4)	(5)	(6)

Total overtime worked or production in case of piece rated	*Normal rates of wages*	*Overtime rate of wages*	*Overtime earnings*	*Date on which overtime wages paid*	*Remarks*
(7)	(8)	(9)	(10)	(11)	(12)

FORM XXIII

[*See* rule 55 (1)]

Return to be sent by the Contractor to the Licensing Officer

Half year, ending....................

1. Name and address of the contractor ..
2. Name and address of the establishment ..
3. Name and address of the principal employer ..
4. Duration of contract: From...... to........
5. Number of days during the half year on which—

   (a) the establishment of the principal employer had worked ..

   (b) the contractor's establishment had worked ..

6. Maximum number of inter-State migrant workmen employed on any day during the half-year:

Men	Women	Children	Total

7. (i) Daily hours of work and spread over..

   (ii) (a) Whether weekly holiday observed and on what day ..

   (b) If so, whether it was paid for ..

   (iii) Number of man-hours of overtime worked..

8. Number of mandays worked by—

Men	Women	Children	Total

9. Amount of wages paid

Men	Women	Children	Total

Note:— Wages shall not include wages for period of outward and return journeys.

10. Amount of deductions from wages, if any,—

Men Women Children Total

11. Amount of displacement allowance paid:

Men Women Children Total

12. Amount of outward journey allowance paid:

Men Women Children Total

13. Amount of wages for outward journeys period paid

Men Women Children Total

14. Amount of return journeys allowance paid

Men Women Children Total

15. Amount of wages for return journeys paid

Men Women Children Total

16. Whether the following have been provided:

(i) Residential accommodation;
(ii) Protective clothing;
(iii) Canteen;
(iv) Rest-room;
(v) Latrine and urinals;
(vi) Drinking water;
(vii) Creches;
(viii) Medical facilities;
(ix) First aid.

(If the answer is 'Yes' state briefly nature/standards provided).

Place ....
Date .... Signature of contractor.

FORM XXIV

[*See* rule 55 (2)]

Annual Return on Principal employer to be sent to the Registering Officer

Year ending 31st December ..

1. Full name and address of the principal employer ..
2. Name of establishment
   (a) District ..
   (b) Postal address ..
   (c) Nature of operation/industry/work carried on ..
3. Full name of the manager or person responsible for supervision and control of the establishment ..
4. Number of contractors who worked in the establishment during the year (Give details in Annexure) ..
5. Nature of work/operations on which migrant workman was employed ..
6. Total number of days during the year on which migrant workman was employed ..
7. Total number of mandays worked for by migrant workman during the year ..
8. Maximum number of workmen employed directly on any day during the year ..
9. Total number of days during the year on which direct labour was employed ..
10. Total number of mandays worked by directly employed workmen ..

11. Change, if any, in the management of the establishment its location, or any other particulars furnished to the Registering Officer in the application for registration indicating also the dates ..

Place ....
Date ....

Signature of principal employer.

Annexure to Form

Name and address of the contractor	Period of contract		Nature of work	Maximum number of workers employed by each contractor	Number of days worked	Number of mandays worked
	From	*To*				
(1)	(2)		(3)	(4)	(5)	(6)

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1982.